

G. R. S. IX-5]

Previous references.

1862-63.
~~191~~.

File No. 1

1-5

Serial Nos. 1-4.

Later references.

(prisons + jails)

123

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-4.

M. Part B for

SUBJECT.

Jail management in the
Mysore province.

complete

Indexed
on

1. Die Er ist ein guter Mann
 2. Der ist ein guter Mann
 3. Der ist ein guter Mann
 4. Der ist ein guter Mann
 5. Der ist ein guter Mann
 6. Der ist ein guter Mann
 7. Der ist ein guter Mann
 8. Der ist ein guter Mann
 9. Der ist ein guter Mann
 10. Der ist ein guter Mann

100

1863. No 310.
June 8.

~~From~~

To The Judicial Commissioner
in Mysore

Dated, 19th May
Despatched, "

Received

File No

Serial No

Enclosures, No. -

No 310
June 8.

Subject.

Requests to be favored with
copies of any Circulars from this
Office regarding Jail Management
also report as to the extent to
which the system prescribed in the
Circular of Circular orders issued
has been introduced -

Handwritten signature/initials

V
The ~~first~~ ^{first} Com^r should be requested
to furnish copies of any
circulars he may have
issued regarding forest
management. I believe
that a small manual
is in use in the Punjab
& comprising a series
of circulars issued by
the Board of Admⁿ.
I Dr Hathaway had
been furnished ^{the use of} for reference,
~~but~~ ^{all} the Depy Insp^{rs};
but it is desirable to
know to what extent
it had been introduced.
whether as a guide
simply, or authoritatively.
As the manual contains
circulars issued during
the course of several
years, some of which
~~are~~ it is probable

that much of the contents
is obsolete, while portions
are ~~prob~~ perhaps not
applicable to Southern India

B 18/5/63

General No 310 }
Judicial 8 } 1863/64.

Section
The Judicial Comm.

D 1878/63

2. I have directed by the
Comm. to request that you
will forward for his
information copies of
any Circulars which may
have been issued from
your office regarding
management.
2. On visiting some of the
Jails of the Province the
Comm. was given to understand
that a small
manuscript in use in the
Punjab comprising a
series of fragments issued
by the Board of Administration
& D. Katarwary had been
forwarded for the use
of the D. Supdt. but

He
has been desirous of
knowing to what extent
the work has been inter-
duced - whether simply as
a guide or authoritatively
as a system -

3. The Manual Controversy.

Mr. J. W. has been anxious
to know during the course
of several years, and
it is probable that

much of the controversy
is obsolete ~~and~~ while

positions are perhaps are
not applicable to Indian
India.

4. His latest observations refer
especially to the diet &

clothing of prisoners which
Mr. J. W. observes have
long been altered -

still

Bangalore
19th May 1863 }

1863. No. 1

From

The Judicial Commissioner
To The Secretary

SLD

Dated 5th June.

6

Despatched 11th "

Received 8th " "

Enclosures, No.

No. 41

Subject.

Answer to letter
No. 310 of the 19th
June 8
May 1863 forwards for
the information of the
Comms. Copies of corres-
pondence relative to
Mail management.

Orders.

corr 8/6/63

No orders

B 9/6

N. 41

7
Mysore Judl. Commr. Office.

From

^{via} C. B. Saunders Esquire.

Judicial Commissioner

To ^{in Mysore} The Secretary
to the Commissioner

of Mysore

Dated Bangalore the 5th June 1863

Sir,

I have the honor in reply
to your ^{Genl. N. 310 } 1863/64 dated 19th May}
^{Judl. -- 8 --}
1863 to annex for the information of the
Commissioner Copies of the Corres-
pondence as per margin relating
to Jail management.

2 In addition to the above a
lengthened Correspondence has been car-
ried on by me with the Superintendents
of all the Divisions on the subject
of Jail Dietary, and of uniform
clothing for the Prisoners. Of this
Correspondence which is almost too
voluminous to be transcribed for
despatch with this letter I have
already

Copy to Secy of Divisions. N. 63 D. 11 March 1863
Copy to Secy of Divisions. N. 63 D. 11 March 1863
with enclosure.
N. 312 D. 23 April 1863.

already forwarded for the Commissioner's information a copy of my concluding Circular as per margin under cover of my letter No. 14 dated 14th May 1863 to the Offg Auditor and Accountant of Mysore, but I can if requisite submit the whole of the Correspondence in original for the Commissioner's perusal.

3 It will be seen from the accompanying correspondence that in distributing copies of the Punjab Jail Manual to the Superintendents of Divisions, I stated that the work could not fail to prove of great utility to the District Officers as a guide for their adoption in all matters connected with the internal Economy and discipline of the Jails under their charge. Holding the above opinion, I deemed it right to urge upon the Superintendents and through them upon the officers and subordinate to them, the great advantage which would result from their adopting the general practice and routine of their Jails in regard to discipline and general management to the

+ No 7 of the 13th May 1863

the Rules laid down in the Manual on all points in which the latter were not perfectly and manifestly inapplicable to the local Customs, Caste peculiarities or prejudices of their Prisoners or to the existing accommodation available in those Jails, and I specially pointed out that in certain matters as Dietary for instance it would not be possible or advisable to adhere to these Rules.

4 Special instructions with regard to Dietary and Clothing have been subsequently issued to the Superintendents for the guidance of Officers in charge of Jails.

5 There are doubtless several points in which the actual letter of the Rules contained in the Manual is of course inapplicable, but there are but very few matters of detail connected with the internal Economy and discipline of Jails in which I consider that the spirit of the Instructions therein contained

contained can be departed from with
advantage.

Bangalore }
The 5th June 1863.

I have the honor to be
Sir,
Your Most Obedt. Servant

Chas. Saunders
Sudl. Commissioner

Ch

11
- 5th 29th Mysore Adm^t Comm^t Office
From ¹⁸⁶⁰ 

C. B. Andrews Esq^r

Adm^t Commissioner
in Mysore

To

The Secretary

to the Commission
of Mysore

Dated Bangalore 3rd March 1864

126

- According to your letter

G.O. 222850
Adm^t " 101 dated the 1st Nov^r 1863 under acknowledgment, I
have the honor to state for the
information of the Commission
that before submitting my own
views on the different subjects
which were therein referred to
me for report in connection
with the introduction of a proper
system of in-door labor into
the

into the New Central Jail,
 at Bangalore when completed,
 and the formation of an efficient
 Establishment to provide for
 the safe custody of the Prisoners
 who are to be confined therein,
 and for the maintenance of
 discipline, I deemed it advisa-
 ble to place myself in commu-
 nication with the Superintendent
 of the Muddanooy Division and
 to request him to favor me with
 the expression of his own views
 on the above subject after con-
 sulting the Deputy-Superintendent
 of Bangalore and the Super-
 intendent of Police in the
 Bangalore Cantonment.

2 I have now the honor
 to annex for the perusal and
 information of the Commission
 as per margin, Copies of the
 whole,

To Superintendent of Muddanooy Div. 123 of 5th Nov 1883
 From D^o 291 " 3rd Feb 1884 and
 of to Bangalore

whole correspondence which,
has passed on the subject -

3 - Although the - Inspector,
Inspector of Prisons, has
made no special allusion to
the subject, nor has he grounded
his own recommendations on
the views entertained by his
subordinates, it will be seen
that the Deputy - Inspector
of the Bangalore District and
the Inspector of Prisons
in the Bangalore Cantonment
are both laboring under the
impression that it is in contradi-
ction to retain, as District
and Cantonment Jails, one or
more of the present buildings
which are now used for the above
purposes, and to transfer to the
New Central Jail only the
surplus prisoners, who have
been

W
been sentenced to long terms
of imprisonment.

11 As I cannot believe that
it is the Commission's intention
that any of the existing Gaols
shall be retained after the
completion of the New Central
Gaol, and as I cannot recom-
mend the adoption of such a
course on account of the un-
necessary expense that it would
entail, I do not propose to allude
further to the matter beyond
stating that ^{I consider} there should merely
be a small Lockup in the
Compound of the Cantonment,
Police Court for Prisoners under
trial who might remain under
charge of the Police Inspector
on duty during that period, but
should be transferred at once
to the Central Gaol to undergo
their

these terms of imprisonment,
as soon as sentenced - With re-
gard to the Bangalore District
Courts, I am of opinion that
as the Central Jail is in close
proximity to the - Superintendent's
Cutcherry, prisoners who are
under trial whether before the
District Authorities or the - Ses-
sions Court, as well as those
who have been duly sentenced,
may be most appropriately and
conveniently placed in confinement
near them.

5 With regard to the num-
ber of prisoners who should
be confined within the Central
Jail, I would try to state that
the building has been nominal-
ly constructed to hold one
thousand prisoners, but there
is little doubt that it might
afford

Prisoners now in the Town Hall Jail whose remaining term of imprisonment exceeds three months, or who may hereafter be sentenced to a longer period than the above, be forwarded to the Central Jail to complete their sentence. With regard to the Prisoners of the Kistnagur and Vengur Division, I am of opinion that it will suffice to transfer to the Central Jail all long term Prisoners whose term of imprisonment exceeds that which a Magistrate is competent to impose. It will however be necessary to watch very closely the effect which their removal to Bangalore may have on the general health and constitution of the Prisoners from the Vengur Division,

as it is by no means improbable
 that the Climate of this place
 may not be found to agree with
 people who have been born and
 bred in the Peninsula. By
 care and attention however to
 their diet, which should consist
 chiefly of rice, which is the
 principal article of consump-
 tion in their own part of the
 Country, it is highly probable
 that they will gradually become
 accustomed and inured to the
 change and will be in course of
 time acclimatized. As however
 a new Jail is about to be erected
 at Permagah, which will af-
 ford sufficient accommodation
 at any rate for the great ma-
 jority, if not for the whole of
 the Prisoners of the Districts of
 the

17

the Madras Prison, it will only be absolutely necessary in case of emergency to transfer to the Bangalore Central Jail the surplus Prisoners from those parts, but I am of opinion that under any circumstances the long term Prisoners belonging to the Chittledroog District of the Madras Division might with greater advantage to their own health and to the interests of Government, be transferred to the Bangalore Central Jail than to the Pinjraik Jail.

With regard to the character of the Industrial Employment which in my opinion appears most suitable, I would surmise that I am an advocate for confining the Prisoners rigidly either to in-door

¹⁶
in-door labor within the Jail
precincts, or to out-door labor
within the limits of the Jail
grounds.

8 I am of opinion that
the employment of Prisoners
on out-door labor upon the roads
of the Station or upon public
works unconnected with the
Jail, should be strictly prohibi-
ted from the date on which the
New buildings are permanently
occupied, as being entirely sub-
versive of all proper Jail dis-
cipline, and from the facilities
which such employment must
necessarily afford the prisoners
to meet their friends and as-
sociates to keep up their inter-
course with the outer world,
and to obtain the command of
money

money and other forbidden luxuries, highly calculated to neutralize the terrors and salutary effects of imprisonment, and to diminish very considerably the moral ends and objects for which that description of punishment has in all ages been devised and instituted.

9. I concur so far with the Superintendent in considering that for those who belong to the agricultural classes and who have been accustomed from infancy to labor in the fields, out-door labor should to a considerable extent be provided, but I am of opinion that it is not necessary that such out-door exercise and labor should be sought for the Prisoners at

a distance from the Jail and its immediate precincts. On the contrary I would employ such men within the Jail grounds, which should be immediately adjoining the Jail, or in rope making and such like out-door occupations within the Jail walls. I would big strongly to recommend that the large piece of ground adjoining the South wall of the New Jail and between that and Kitchikan Chetty's Chutbun should be at once secured and converted by the Prisoners into a Jail garden. By their labor the ground might be enclosed by a ditch and ^{low} wall and prepared with walks &c. as a garden for the growth of vegetables solely for consumption within the Jail.

10 I concur with the Deputy
 Superintendent of Bangalore,
 in recommending that the
 manufacture of the following
 articles be introduced in the
 New Jail experimentally in
 the first instance. Viz.

Paper. Canvas. Gunny Cloth.
Pottery - Blankets. Towels.
 Ropes. Tent Cloth. Rings.
 and that what might be gained
 in the Jail for prisoners' sundries
 &c. - I do not however recom-
 mend that the Prisoners should
 be employed in sawing up Tim-
 ber and in executing Mason
 work for private individuals
 as is at present the case in the
 Town Koor Jail, as I consider
 that such work may be with
 advantage left to the local
 trades-people and - Artisans and
 to

22
to the Public works Department.
The Prisoners ought however,
to be employed in forging their
own fetters and in executing
all requisite repairs to their
tools and implements of trade,
or husbandry.

11 With regard to the strength
of the Establishment which
will be necessary for the custody
of the Prisoners and the main-
tenance of discipline I would
beg to recommend, in slight
modification of the proposals
submitted by the Superintendent
of Penitentiary, the following
scale of Establishments for
the approval and sanction of
the Commissioners -

Argument

Permanent Sail Establishment

* To be further estimated by a Commission of 20 per Cent on the net profits ac- cruing from the manufac- : tures.	European Superintendent of Sail and Workshop	Rup. 150
	Head Sailor (European) — " —	1
	Deputy D ^o (Natives) — " —	35
	English Writer — " —	50
	Assistant D ^o — " —	20
	Head Mastsaddler — " —	25
	Second D ^o — " —	20
	Third D ^o — " —	15
	4 Sweepers at 7 Rupers — " —	28
	Quarters for 8 males and — " —	15
		<u>Total " 158</u>

Permanent Hospital Estab- lishment

First Native Doctor Rup.	25
Second D ^o D ^o — " —	20
Compounder — " —	12
Druggist — " —	12
<u>Total " 69</u>	
<u>Grand Total " 527</u>	

12 In addition to the above,
it

24
it will be necessary to provide,
a Permanent Jail Guard, and
a Contingent Guard.

13 The strength and cost
of the Permanent Jail Guard
might be fixed by the Military
Assistant with reference to the
number of Striters which it
may be found necessary to provide,
but as in the calculation of the
earings Expenditure on the Jail
Prisoners, the cost of the
Permanent Jail Guard will ne-
cessarily form an important
item of charge, it will be ad-
visable to reduce the strength
of the Guard to the lowest point
which may be found consistent,
with efficiency and the due se-
curity of the Prisoners.

14 The strength and cost
of the Contingent Guard may
be

25.

be fixed at the same scale,
which has been authorized in
the Punjab and North West
Provinces for first Class Jail-
Wage.

1 Armandon to 50 Prisoners at 20 Rs. ^{each}

1 Duffadon to 25 Prisoners - " 10 " "

1 Prison to 1000 Prisoners
at in-door labor at } 6 " "

15. As the cost of the above
Establishment will naturally
fluctuate, being dependent pri-
marily upon the number of
Prisoners who may be at any
time confined within the Jail,
I have not followed the plan
adopted by Colonel Dobbs in
estimating their cost at a fixed
rate. The total cost of the
Contingent fund according to
the above Scale, which has
been laid down upon the
assumption

No. 63.

Forwarded to Sd/-
Circular
Mysore and Commissioners Office

27

From

C. B. Saunders Esquire
Judge Commissioner
in Mysore

To The Superintendents
of Divisions

Dated Bangalore the 4th March 1863.

Sir,

1. I have the honor to forward
for the use of your own Office and for
that of the District Officers subordinate

Supt. Office — 1.

Dy. Supt. of — 2.

Do — Do — 2.

Do — Do — 2.

Supt. of Police Bangalore — 1

Cantonment — 1

— manual.

to you, as per margin, the ac.

companying Copies of the

Punjab Jail Ma-

Man

2. As this Manual compiled by
Dr. Hathaway Inspector General of
Prisons in the Punjab contains all the
circular orders and Instructions on the
subject of Jail Management which have
been issued by the Punjab ^{Government} from the an-
nEXATION of that Province in the year 1849
to 1862, it cannot fail to prove of great
utility

2d
utility to the District Officers as a guide
for their adoption in all matters connected
with the internal Economy and discipline of
the Jails under their charge, and I have
therefore to request that the Rules for the
Classification, Clothing, and general manage-
-ment of the Prisoners therein contained,
may be strictly adhered to excepting in
such matters as Dietary for instance,
in which they may with reference to con-
-siderations of a purely local character
be deemed inapplicable.

3. As it is a matter of the greatest
importance that the management and dis-
-cipline of the Jails of this Province should
be brought as soon as possible under more
regular and constant supervision than
has hitherto been the case, and that they
should all hereafter be conducted on
one uniform system, I would beg to request
that you will impress upon your District
Officers the necessity of their giving their
prompt and special attention to that very
important branch of their duties which is
connected with the general control and
management.

management of their Sails and Lock up, and that you will yourself afford them the benefit of your advice and general superintendence on all occasions.

4. As the Commissioner has in the Rules which he has prescribed for the Examination of Assistants in the Mysore Territory laid down as a requisite for Candidates intending to pass the Lower Standard that they should be acquainted with the management and interior Economy of Sails, it is most important that all such Officers should have every opportunity afforded them not only of personally inspecting the practical working of our Sails; but also of making themselves thoroughly acquainted with the contents of the accompanying Manual, and also with the Circular Instructions which may from time to time be issued in regard to the general subject of Sail management. It is with this object that I have obtained from Lahore a sufficient number of Copies of the Sail Manual to admit of a second or Extra Copy being

being distributed to each District for the use of the Assistants generally who may from time to time be employed therein.

Any of the Assistants can procure private Copies for their own use on application to the Proprietor of the Lahore Chronicle Press.

5. I have already in my Circular No 55 dated 19th February 1863, prescribed the adoption in the Sails of this Province of most of the Forms and Statements which you will find in the Appendix of the Manual; but I would beg to request that you will after consultation with your Deputies, favor me with your opinion as to the advisability or otherwise of introducing the whole of the Statements prescribed in the Manual either in their integrity or with such alterations or modifications as may commend themselves to your judgment.

6. I would also beg to be favored at an early date with any suggestions which you may wish to offer having for their object the alteration or improvement of any particular matters of detail, connected

with

31

with the system of Jail management and discipline laid down in the Jail Manual, so as to adapt the same to local requirements. There may be several matters of detail provided for in the Punjab Manual which either from the peculiarities and prejudices of Caste or from local or traditional policy it may be deemed inexpedient or undesirable to adopt in the Jails of Mysore, and I would therefore be glad to be favored with your views on the subject to enable me to submit to the Commissioner at an early date a Report on the general question of Jail management which I have been called upon to furnish.

Bangalore
The 4th March
1863 }

I have the honor to be
(Signed) C. R. Saunders
Judl. Commr.

N. 124.

Munddroog Division
Superintendent's Office

To

The Judicial Commissioner,
in Mysore

Sir,

3rd Sir,

I have the honor to acknowledge your letter No 63 of the 4th Ultimo on the subject of Jail discipline, and the receipt of the Jail Manual which accompanied it on which I would submit the following observations-

2. The manual as a whole is not applicable to the existing Bangalore and Toomkoor Jails, the Toomkoor Jail is a large building with ample space which could easily at a moderate cost be divided into the number of wards necessary for the separation of the different classes of Convicts, but the present Jail establishments are only temporary having been sanctioned with reference to the proposed transfer of the convicts to the Central Jail at Bangalore, under these circumstances I would hardly be justified in recommending any additional outlay
on

27 on the existing buildings or introducing changes which could only be partially carried out.

3. The Bangalore Jail is as you are aware equally defective in space and arrangements and do not admit of any improvements being effected beyond those already carried out under your orders.

4. In all the Jails the women are separated from the men, Civil prisoners and persons under trial are confined in separate wards and kept entirely separate from the Convicts.

5. The spirit of the rules is in fact acted on as far as possible, I would therefore suggest that while the Deputy Superintendents are to consider the manual a book of reference from which they may obtain much useful information and many valuable hints the introduction of the rules in full had better be postponed till the central Jail has been completed, when a uniform system of labour and discipline will of course be established.

Having

6.34 Having called on the Superin-
-tendent of Police and the Deputy Superin-
-tendent of Town Moor to state ^{their} views on
the question of introducing the Manual,
I have received their replies, copies of which are
forwarded.

7. I would observe with reference to Lieu-
-tenant Pearce's remark, in the 1st para
of his letter, that I did not consider
it necessary to send him copies of the
forms, having earnestly suggested that
the one form submitted by me
might with great advantage be
substituted for the above forms.
Major Puckle and Captain Camp-
-bell equally with myself consider
those forms cumbrous and incon-
-venient.

Daveroydroog }
9th April 1863.

I have the honor to be Sir
(Signed) P. F. Dobbs
Superintendent

Town Moor

No 116

Toomkoor District Dy Superintendents
Office

To,

The Superintendent of the
Kundidroog Division

Sir,

In reply to your No 11, 0 of the 11th Current with copies of the Jail Manual, and letter from Judicial Commissioner on the subject of Jail Discipline, I have the honor to enclose, a Memo: drawn up by my Assistant, Major Hamilton in consultation with Mr. Nutson the Jailor, with my remarks in the margin, and at the same time to add that the whole of the Rules in their entirety, could hardly be made applicable to the Toomkoor Jail, without much expense, which I imagine, under the prospect of its removal, altogether within two years, would not be deemed advisable.

2. The spirit of the instructions shall however be attended to, as far as local circumstances will admit of their application, and I think you will see from the enclosed Document, that practically most of the really important Rules are, at present in force, though perhaps not in such detail as laid down in the Manual.

3. I may here add that within the last 2½ months the Drainage around the precincts of the Jail has been improved, and arrangements made

made, whereby the necessities for the Prisoners are more efficient and the new District, as sanctioned by you, will come into operation on the 1st Proximo.

4 I beg to enclose, a Form which embodies much of the information contained in the 11 Forms, forwarded with your No 13, of the 24th ultimo, and I respectfully suggest that for the present I may be allowed to keep up only this, together with the "Jail Morning Report" the "Return" showing the Employment of Prisoners, and, a "Defaulters Book," otherwise the work would fall heavy on the existing Establishment.

5 I would beg to be allowed to introduce the practice of giving 2 bumbies per year to each Prisoner, one to take out with him, and the other to be kept in jail with his mat, so that on returning from work he might be sure of a dry covering.

6 I think the Rules in the Manual might be adopted for Mysore with great advantage, but much of the information might, at the same time be profitably condensed.

I have &c

Camp. Devanoydoo (signed) J Puckle
26th March, 1863 } Dy Superintendent

Mysore District Asst Superintendents
Office
No 5.

No 5 To,

The Dy Superintendent Joomkooor District

Sir,

I have the honor with reference to your Memo. No. 83 of the 18th Instant, to submit the following observations for your consideration.

With reference to Section I Para I of the Jail Manual. It is very necessary that Prisoners are admitted into the Jail they should receive clothing &c laid down in this para.

2 Might also be adopted with the exceptions as therein specified.

Each Prisoner has a ticket with his name on it, and on wood, in the ticket might be substituted corresponding with the Register for term: in lieu of the wooden one. with three divisions marked on the same. 1st for his sentence &c to be written in English, another in Canarese and the 3rd Division for the entry of his property.

4 A Book should be kept for this purpose in accordance to the Form No. 12 Appendix Page 9.

5 A very good rule.

6 & 7 We have no Medical Officer or Hospital attached to the Jail. Two Hakeems perform the duty of prescribing for the sick.

A.

- 8 A good Rule to adopt when a Medical Officer is nominated for the Jail.
- 9 A good rule for adoption. Bedding will be required to be supplied. *Am extra comb. & by sufficient*
- 10 A good Rule when a Medical Officer is appointed.
- 11 A good Rule for adoption
- 12 Inapplicable *Commissioners abolished the use of high*
- 13 Eight chains will be required to be supplied. *chains in jail, sent a year ago and prisoners are seldom marched from one Jail to another in any number*
- 14 A most useful Rule.
- Section II Classification
- 15 A good rule *In force*
- 16 Ditto. Padlocks must be supplied.
- 17 Ditto With the exception that No Male Prisoners here the Prisoners females will not use waters unless brought by themselves. *allowed entry*
- 18 Ditto Same regarding the waters *Females are employed inside their own Court yards*
- 19 A good rule for adoption *No interviews are allowed except on Sundays 2 to 4 PM after, with sanction*
- 20 As there is not sufficient Room in the Jail here for 10 classes of Prisoners, perhaps it might be as well that we divided the Prisoners into 6 classes. *As far as practicable the Prisoners are separated as before mentioned.*
- 1st Those waiting to be tried
- 2nd Civil Prisoners
- 3rd Europeans, and Eurasians
- 4th Good character of Prisoners
- 5th *1 Convicted Prisoners
2 Prisoners under trial
3rd Prisoners charged with murder
4th Civil Prisoners
5th Petty offences and the accommodation does not admit*

of much further
division

5th Those, of indifferent character, and
short time Prisoners.

6th Prisoners, charged, with Murders

The Bees, and 21

Bare, & boys are

the Guard and Turn, 22

Keys and, of a Prisoner escapes, the 23

Murder is made

unavoidable 24

This is the best

and pur, poses the

practitioner, 25

Solitary cells, are required

A good Rule

Turn Keys, are required

Duties, and, work, of Jail

A good rule, when Ward Masters, and Turn

Keys, are, appointed

26 A good Rule, when Sweepers have been
nominated from amongst Prisoners.

27 This Rule, cannot be, well, carried, out
here, as the Prisoners first, of, all, go, to, attend, the

They are exposed Calls, of, nature, bring, water, and eat, their, actual,

to, at, the, bar. They usually leave the Jail, at, about 7 o'clock, A.M.

Khantie and then and work till 1/2 past 7, P.M. Schools, could not,

other work by 7 A.M.

well be established, under the present system, of
working. Convicts, are locked up, at 6 in the short,
and 6 1/2 in the long, days.

28 Lights, are, in use, at present. The latter
part of this para is a useful, one.

29 to 33 inclusive - useful rules, but it is all, out

Nothing beyond the Dick scale is doorwork with the Prisoners, in this Jail. Tobacco

allowed except 4^{ea}, only to be given, when ordered by the medical

when sick Officers

Section III Conservancy, arrangements

This "necessary" 34 Good Rule. There, are, two, drains to the Sails

was made, on this 35 Ditto - Refuse to be removed to the Privy

island 2 months ago and is in full operation, and all the refuse, is deposited there

36 37 In practice

- 38 A good Rule. In force.
- 39 Ditto We use wood ashes In force.
- 40 We have no wells.
- 41 We have no Pucca drains a good rule and in practice here.

Section IV Fetters

- 42 to 46. Good Rules for adoption. If a uniform set of Fetters, ankle Rings, and leather gaiters be sent we can make ours like them. *But Fetters are of very varying weights as the "fenders" No. present the iron rule - being used*
- 47 Very good Rule. In practice
- 48 to 50 inclusive. Good Rules for adoption. *In practice a column is added for this in the report with letter 193 of 11th Decr 1862.*
51. A Capital Rule
- 52 & 53. Good Rules for adoption. Ditto & Ditto
- ~~54 & 55~~ *Ditto* Handcuffs and chains required to be supplied to have these rules put in force.

Section V Clothing

56. Much required. *Vide remark book*
- 57 to 59. One set of clothing is ample in this climate for both Summer and winter weather. *Two bundles as now recommended*
60. Good Rule
61. The number painted on the Prisoners clothing might be adopted in preference to a cross stripe of a different color.
62. Capital *Vide remark book*
63. Good Rule
64. A Capital Rule
65. Not required if one substantial suit of clothing is furnished for each Prisoner.

Section

Section VI Dietry

new diet scale 66 to 76	Inapplicable Prisoners might come into force on the 1st April	be supplied with food as laid down in Majors Puckle's diet Table.
new diet scale, provides sick diet for really sick Prisoners and for each description of Prisoner	77 to 79.	Good rules for adoption.
	80.	No Hospital
		Garden too small
		A Capital rule
		No remark required
		A good rule
		Ditto

Section VII Revolts and Punishment

The best workman are in the harkhana and are allowed to work all the others Ragjee cooks are selected for good conduct.	86 to 89	Good - but good conduct and hard working Prisoners might have rice instead of ragjee as is now in practice.
	90	A good Rule, but there is no school.
		No Hospital.
		A most excellent Rule
		A good Rule
		Ditto
		Ditto. Report to be made 1 pre-
		sume to the Judicial Commissioner
		A good Rule
		Ditto
		Section VIII Very good when a regular Manufactory is Established.
		Section IX Prisoners Property
		a good rule

- 105 Cash might be kept, at the jail on a Prisoner,
Treasury. are ordered to
106 to 109. Good Rules for adoption be kept in the
110 A good rule Treasury.
- Section X. Precaution against escape
- 111 and 112 Good Rules for adoption In force
- 113 Report to be made to the Magistrate Report is made
and Judicial Commissioners
- 114 and 115 Good rules for adoption
- 116 In practice
- 117 Inapplicable at present. Are kept in the Kas.
Khanna
- 118 In practice
- 119 A good Rule
- 120 In Practice
- 121 The Military Assistant it is presumed
will be furnished with a Manual of Rules
for his guidance wherever they may affect his
department.
- 122 Ditto
- 123 Good Rule Truncheons required
- 124 In practice
- 125 None
- 126 No Hospital.
- 127 No Medical Stores, are kept in Hos-
pital.
- 128 Inapplicable, at present, as all the
Prisoners go to out door labour
- 129 A good rule
- 130 In practice on all duties

131 A good Rule
132 Ditto Blue lights &c. required
to be supplied.

133 Good English Pad lock required to be supplied.

134 No solitary cells.

135 Good Rule.

136 Ditto

Section XI Sanitary Measures.

And oftener if necessary 137 to 141 inclusive. In practice here. The jail is white, washed twice a year.

142 Inapplicable (for Bramins)

143 Good

144 Inapplicable. Earthen Chalties used here.

How &c. hereafter
supplied out in best
up to a standard
sample.

145 Ditto Raggeeing used here

146 First portion inapplicable if, one warm suit, is served out. Inspection parade might be held inside the Barracks, during the cold weather.

147 to 150 Good Rules for adoption

2 Amblheras recommended 151

Ditto

Section XII Police Guard

152 to 157 Good Rules for adoption

158 Good. Orders for the above will I presume be given to the Military Assistant

Section XIII Sentries

159 to 168 inclusive. Ditto as in preceding Section.

The Jail Guard include

Section XIV Turnkeys

169 to 172 Good Rules; but we have no Turn-
= keys. Turn keys and
Warders for in and
out door work and the
Rules in fact are
practically in force.

Section XVI Contingent Guards

173 Duffadars, and Peons, are in charge of
the jail here

174 to 177 Good Rules for adoption.

178 Good. but the Peons many of them ^{with one or two ex-}
now live in the Bazar. As houses being near the ^{ceptions these Rules}
Jail. ^{are practically in}
^{force.}

179 Good - Truncheons required

180 Good rules ^{within} establishments are supplied

181 Good Truncheons required

182 In practice

183 Very good

184 Good

185 Good Rules referred to is required.

from the Judicial Commissioners

186 Good

187 Ditto Present pay of Peons insuffi-
cient to admit of practised Artisans being in-
tertaind.

188 Inapplicable

Section XVII Jailors

189 to 195 Good Rules for adoption

196 Ought certainly to be Monday instead ^{Ditto} ^{Ditto}
of Sunday

197 Good

198 Monday instead of Sunday.

199 to 206 Good Rules for adoption

207 Good :

Section XVIII Medical Officers

208 to 215 inclusive All very good when a Jail Medical Officer is nominated.

211 A good Rule

212 A good Rule. Each Prisoner has now a space of 225 cubic feet.

213 A good Rule

214 Requires no remark

215 A good Rule when a Jail Medical Officer has been appointed.

216 to 222 Good Rules for adoption

Section XVIII Miscellaneous

In force

223 & 224 Good rules for adoption

225 Let the ~~Secy~~ Superintendent for reports

higher authority

Visits permitted once a week and on special occasions with sanction of magistrates.

226 to 228 Good Rules

229 Inapplicable

230 Good

231 See Strongly recommended for adoption

232 Inapplicable

In force since Jan 1863

233 Good

234 to 235 Good

236 Ours is all out door labour

237 to 239 Good

240 There is no school

Signed J Puckle

241 Good

By Superintendent

242 No Lithographic Press

March 27th 1863

243 to 246 Good

Section

Section XIX. Records, and Reports

- 247 Printed Returns required
248 and 249 Good
250 Good, when Manufactories, are established
251 Military, unconnected with the Civil
Cost of Sail Guards.
252 and 253 Good Rules
254 Re Solitary Cells
255 to 257 Good
258 Good, but there is no medical officers
for the Sail
259 to 261 Good Rules for adoption
Circular No 6 of 1852, dated 13th January Page
57 might be adopted.
Ditto No 40 of 1852, dated 29th April Page 52
Ditto No 47 of 1852, dated 15th May Page 53
Ditto No 17 of 1853 Page 60 Para 4 partly
in practice now, might be fully introduced.

Form No 30 Appendix page 21 might, also
be adopted.

These Circulars, appear to be most, required
now

Toom Koor } I have &c
24th March 1863 } Signed / J. J. Hamilton

No 212 Bangalore Police Court 1st April 1863.

To:

The Superintendent of the Muddidroog
Division
Sir

[illegible]

Lips

I have the honor in reply to your Circular No. 140 of the 11th Instant, which accompanied the Punjab Jail Manual to state that not having received the Forms alluded to in the Judicial Commissioner's Circular No. 63 of 19th February 1883 from his office I am unable to make any remarks thereon.

2 The forms, at present in use, in the Canton-
ment Tail, are those marginally noted, and
though some additional columns might with
advantage be added, from those enumerated
in some of the Tables at the end of the Manual,
I do not foresee an adequate advantage from
the entire introduction of those elaborated
Forms, for the correct preparation of which an
increased Establishment would be necessary.

3 The principal, and most important rules in the Panjault Manual seem in spirit to be carried out here, at present, though not to the same extent in details many of which might however with great advantage be adopted.

11 The want of the Forms may I must be, ad-
mitted, as a reason for not entering more fully into
the subject of substituting the whole of these forms
in the Manual in toto, as of course I am unable

to decide on the relative appropriateness of the
2 sets of forms

I have &c
(Signed) C. Pearce
Supt of Police

True Copies
(Signed) A. J. Dobbs
Superintendent
Kundidroog Division

P. 342.

Mysore Indl Commr's Office

To

The Superintendent of the
Munddroog Division

Dated Camp Munddroog the 25th April 1863

Sir,

I have the honor to acknow-
-ledge the receipt of your No. 124, dated
the 9th Instant on the subject of Sail
Discipline, and submitting certain
observations regarding the introduction
of the Punjab Sail Manual as a
book of reference for the guidance
of Officers in charge of District Sails.

In reply I have the honor to
state that while I agree with you that
in its present form the Manual as a
whole is not altogether and entirely
applicable to the existing Bangalore
and Toomhoor Sails, I nevertheless
am of opinion that there are very few
points and those almost immaterial
ones in which any departure from the
spirit rather perhaps than the actual
letter of the Rules and Instructions
therein

therein laid down would be attended with advantage. Under these circumstances I would beg to urge upon you, and through you upon the District Officers subordinate to you, the great advantage of adapting the general practice and routine connected with the internal Economy and management of the Jails under their charge to the Rules laid down in the Manual on all points in which the latter are not perfectly and manifestly inapplicable to the local customs or caste peculiarities and prejudices of their Prisoners or to the existing accommodation available in those Jails.

As there is no prospect of the new Central Jail at Bangalore being available for the accommodation of Prisoners for a considerable time to come, and as the practice of employing the Convicts almost exclusively on out door labour has not yet and cannot be at present authoritatively prohibited, I do not consider that it will be found practicable to introduce any very strict system of Classification and separation of

of Prisoners, but under any circumstances in addition to keeping female prisoners distinct from male Convicts, the following Classes amongst the latter must be rigidly separated from each other.

1st Prisoners. Under trial ::

2nd Prisoners Convicted of Murder or any other serious Crime of great magnitude.

3rd Prisoners Convicted of less severe offences and sentenced to rigorous imprisonment.

4th Prisoners. sentenced to simple imprisonment.

In addition to the above, but not coming under the Category of Convicts or Criminals, are Civil Debtors, who must be kept entirely distinct from the former, and if possible in a separate enclosure to be called the Civil Jail.

The latter being incarcerated for debt need not of course be subjected to the same rigid discipline and restraint as those who have been convicted of Criminal Offences.

In the Joombhor Jail it will not be necessary to go any great expense in

in carrying out the above simple system of Classification and separation, as it will not be necessary to partition off enclosures in the Central yard for each class of Prisoners.

As far as I can, remember, the night wards are at present separated off into two or three large compartments, which if necessary might be further partitioned off at a very moderate cost or in fact at little or no expense at all, by the Prisoners themselves, into a sufficient number of wards to accommodate the different classes of Prisoners above specified, and preserve a certain amount of Classification and separation amongst them.

I observe that Captain Puckler's attention has been already drawn to this subject, and as I know that when he was Superintendent of Police in the Cantonments, he introduced several important changes and improvements into the system of Jail management in the Cantonment Jail, I have full confidence

Confidence in his being able to carry out similar measures of reform in the Jail at Tomkoor.

The above remarks apply equally to the temporary Bangalore Jail in which I trust the Deputy Superintendent will be able to carry out an improved system of Classification of Prisoners and generally of Jail management.

With reference to the concluding paragraph of your letter under acknowledgement, I would beg to refer you to my letter A. 329: dated 8th April 1863 which could not have reached you until after the despatch of your letter under acknowledgement.

With regard to some of the marginal remarks recorded by Major Pickle on the letter to his address from his assistant Major Hamilton, I would beg to offer a few observations.

I see that the Deputy Superintendent in reference to para 1 of the Manual

Manual states that Clothing for the Prisoners was applied for in his No. 43 of the 19th December 1862 but not sanctioned on account of the Jail being shortly to be removed to Bangalore. As I have no recollection of the application having come before me I presume that the refusal to sanction the grant must have emanated from yourself. I do not know whether the Commissioner has expressed any opinion in the matter or whether he may have verbally or otherwise given any special instructions on the subject, but if not, I should certainly be inclined to recommend that Clothing for the Prisoners of a uniform pattern (which might and I think ought to be similar to that worn by the Cantonment Jail Prisoners) should be at once served out to the Prisoner in conformity with the instructions laid down in the Manual. The Cost of Clothing Prisoners, forms a legitimate charge on the State, and whether the present Toomkoor Jail is eventually abolished or not, the Prisoners themselves will

will not be released until the expiration of their several sentences, but be transferred together with their clothing to the Bangalore Jail. Under any circumstances however the Joomkhor Jail is not likely to be abolished until the completion some 2 years hence of the Bangalore new Central Jail, and in the meantime the Prisoners will in all probability be able to wear out some three or four suits of clothing and I would not therefore recommend the postponement of the issue of clothing in consequence of the possible contingency above referred to occurring at such a distant date: I would consequently beg to urge upon you the advisability of authorizing the Deputy Superintendent to clothe his Prisoners at once in a suitable and uniform manner according to the rules laid down in the Jail Manual. Two Blankets should as authorized and ordered by the Commissioner be also served out for the use of each Prisoner,

of

57
of which one must be left by him
in Jail to serve as his bedding and
the other may be worn by him when
employed on out door labor.

Camp Mendocino }
The 25th April 1863. }

I have the honor to be
(Signed) C. B. Saunders
Judd-Commissioner

"True Copies"

Chas. B. Saunders
Judd-Commissioner

A. 123.

Mysore Jail Commissioner's Office
9

C. B. Saunders Esquire
Judicial Commissioner

in Mysore
To The Superintendent of the
Munddroog Division

Dated Bangalore the 5th November 1863

Sir,

I have the honor to annex for
your information a copy of a letter ^{Cent. No. 2550}
dated 4th Instant which I have just re-
ceived from the Secretary, requesting me
to report for the information of the Com-
missioner on certain points therein referred
to in connection with the employment and
custody of the Prisoners when transferred to
the new Central Jail which is now in
course of rapid construction at Bangalore.

2. In connection with this subject
I shall be much obliged by your favouring
me with the expression of your own views
on all the several subjects referred to
in the accompanying letter after consulting
the Deputy Superintendent of Bangalore
and the Superintendent of Police in the Bangalore
Cantonment.

3. ⁶ I have also to request that you will furnish me with a Memorandum of the number of Prisoners now in confinement in all the 3 Jails at Bangalore to enable me to form an approximate idea of the number of Prisoners, who are likely to be transferred to the New Central Jail when it is completed, and also with a Schedule of the Establishments at present kept up in each of the Local Jails, and a Statement of the reduced Establishment inclusive of a European Sailor, which you consider it will be sufficient to retain in the new Jail for the custody of the Prisoners and maintenance of discipline.

I have the honor to be
Signed C. B. Saunders
Judl. Commissioner

N^o 291

Munddroog Division
Superintendent's Office

56

The Judicial-Commissioner
in Mysore

Dated Camp Toomkoor 3^d Feby. 1861.

Sir,

I have the honor to acknowledge the receipt of your letter N^o 123 of 5th November last

last with the enclosures calling for my opinion on the following points in connection with the New Central Jail. 56

- 1 The number of persons likely to be confined.
- 2 The term of imprisonment which ~~shall~~ involve a transfer from the Divisional to the Central Jail.
- 3 The character of the most suitable industrial employment.
- 4 Establishment required.

I am not certain whether the Com. = missioner contemplates the continuance of any Divisional Jail, but will assume that his intention is to have only Lockups in the Talooks and District Head Quarters = fording sufficient accommodation for individuals under trial and all Convicts whose sentence does not exceed one month. An arrangement which I would strenuously advocate, indeed I would suggest that all prisoners apprehended in, or brought into, Bangalore for trial might with great con- = venience and advantage be at once on being sentenced committed to the Central Jail, a measure which would be conducive

to discipline and obviate the necessity of keeping up any Jail Establishment in any District of this Division, ordinary Police Guards being sufficient for guarding Convicts under sentence for a month and under.

I would further assume that all Convicts sentenced to more than seven years imprisonment in Astaragum and Nagur are to be confined in the Central Jail on this data we may estimate the average number who will be confined in the Central Jail at one thousand persons. I have only to add on the above point and with reference to the IX. Para of Captain Campbell's letter that if flogging is extended, there is likely to be a decrease in the number of prisoners sentenced to imprisonment.

3 Captain Campbell suggests the manufacture of the following articles

Paper Carpets Quinny

Pottery Cumbles Cloth

Towels Ropes Tent cloth and Rugs.

and that wheat might be ground for private parties. With the exception of Carpets and Rugs, the articles specified

might

38

might be manufactured but I would suggest in addition, Iron, and Wood work, the latter including sawing up Logs of Timber. The important question however required to be considered, is it desirable to confine within the walls of a prison individuals who from infancy have labored in the fields, the agricultural class in fact, I would be disposed to employ all such on the roads as at present, and to provide for that contingency would recommend one Peon for every ten Convicts.

4. The strength and Cost of the Establishment on the above Plan would be,

Contingent Guard		
Peons	100	Ruppes 600- "- "
Jamadars	2	" " 10- "- "
Duffadars	14	" " 10- "- "
		<u>Total. 680- "- "</u>

Jail and Workshop		
Superint ^t of workshop	Pe ⁿ	150- "- "
Deputy	D ^o	50- "- "
Head Sailor	"	100- "- "
Deputy Sailor	"	35- "- "
Head Mootsaddy	"	25- "- "

57	Second Mootsuddy — Rs 20 — — —
	Third — Do — — — 15 — — —
	English Writer — — — 50 — — —
	Assistant — Do — — — 20 — — —
	1 Turnkeys at 7 Rupees — — 28 — — —
	Matron — — — — — 15 — — —
	1 st Native Doctor — — — 25 — — —
	2 ^d — Do — — Do — — — 20 — — —
	3 ^d — Do — — Do — — — 15 — — —
	Compounder — — — — — 12 — — —
	Dresser — — — — — ~~10~~ — — —
	<u>Total Rs 594 — — —</u>

It may be necessary to add to the above a few sweepers if low Caste men are not to be found in the Jail.

The Total Cost of the Central Jail would then be Rupees 1274, which would effect a saving of Rupees 1098 1/- the cost of the Toomkoor and three Bangalore Jails being Rupees 2372 1/-, or allowing 100 Rupees for the Cantonment and 3 District Lockups there would be a monthly saving of 698 Rupees.

Copies of Reports received from the Deputy Superintendents of Bangalore and Toomkoor and from the Superintendent of Police are forwarded for your further information and Consideration.

I have &c.
Signed R. S. Dobbs
Superintendent

No 1117

Bengaloor District - Sup^d to Officer
Camp - Bangalore 1st January 1864

To

60

The Superintendent of the
Mundderry Division
Sir,

I have the honor to acknow-
ledge the receipt of your letter
No 316 of the 7th November for-
warding Copies of Correspondence
on the subject of the future
employment and custody of
Prisoners in the new Central
Jail.

2 The following is a state-
ment of the number of sentenced
prisoners who were in confine-
ment in the And and Fort
Jails of the District on the
28th December 1863.

Men sentenced to 2 years and under	208
Do above two years	276
Do sentenced to Transportation	29
Total	513

Women - Sentenced to 2 years and 9
 months 9
 D^o above two years — 11
 D^o Sentenced to Transportation } 1
 Total 21
Grand Total 534

3 The Establishment of the
 Strad Jail is that laid down in
 the Commissioner's Circular 9.134
 viz:-

	1 Danagah	36	"	"
	1 Strad Jail	25	"	"
	1 Asst. - D ^o -	15	"	"
	5 Supervisors			
	5 Rep ^o & Cook	25	"	"
* 1 Hobbs				
4 Duffadane				
20 Prisoners	1 Prisoner	20	"	"
	5 Hobbs			
	Prisoners at 12.112	810	"	"
	<u>Total Rep^o 930</u>			

4 The Establishment of the
 Fort Jail is also the same as
 that fixed in the Circular, except
 that an additional Hobbs, to
 correspond with the number of
 Prisoners, is kept up, and is
 changed

changed for in a Contingent Bill.⁶²
5 The actual strength and
cost is as follows -

1 Dragoon	25	"
1 Foot Soldier	15	"
2 Surveys	10	"
2 Hobbits at Rifle		
162 each	32 1/2	"
	37 1/2	"
Contingent of men Hobbs	162	"
Total	536	"

6 The following is the strength
of Barr Guard doing duty at
each Jail -

- At the { 1 Commissioned Officer,
Head Jail { 40 Non Commissioned Rank
and File

- At the { 1 Commissioned Officer
Fort Jail { 19 Non Commissioned Rank
and File

7 If all prisoners the term of
whose sentences exceeds two years,
are transferred to the Central Jail,
the Head and Fort Jails will
contribute about 280 men and

100000, not including the 30000
under sentence of transportation,
who I hope will have started for
their destination before the Central
Jail is ready, as they are a source
of some anxiety in consequence
of their numbers and reckless
character -

8 The Strand Jail can hold
350 prisoners and with out-door
labor, their health would be very
good as experience has proved.
But if they are to be confined
within the walls, 300 should be
the limit, and perhaps the
Judicial Authorities might ob-
ject to so many -

9 The accommodation would
however be sufficient for all
prisoners sentenced to two years
and under, in the Bangalore
and Cochin Districts, for at
present they amount only to
217. It would therefore appear
to

to follow that the Fort Jail
might be dispensed with. Its
Establishment may be made
available for the New Jail, but
I think it would be advisable
to preserve the buildings in their
present condition; for as it has
been observed that the operation
of the Penal Code has a tendency
to fill the Jails it would be
well not to give up any existing
Jail accommodation which may
be afterwards required.

10 I would suggest that
a certain number of the best
behaved prisoners should be kept
in the Fort Jail for the purpose
of growing vegetables and breeding
nurseries of young trees in the
adjoining Gardens.

11 Another reason for main-
taining the Fort Jail, is that
should any epidemic break
out

out in either the District or
Central Jail, the means of
giving change of air, and of ss:
operating the prisoners would
be at the Medical Officer's com:
mand.

12 With regard to an ss:
establishment for the New Central
Jail, I can see no reason why the
Jail Manual at pages 90-93. and
94 should not be taken as a
guide as respects permanent
and contingent establishments.

13 I presume that a Military
guard will be furnished by the
Barr and its strength might
be determined at any time in
consultation on the spot.

41 If only prisoners sentenced
to two years and under are to
remain in the New Jail, and
if they are to be put to only
indoor labor their numbers
will always be between 200 and
1,000

100 - This corresponds with the
numbers on page 94 of the Memo
for which a guard of 1 Brindan,
2 Duffadans and 310 Prons is
considered sufficient.

15 The Strand or District Jail
Establishment will then be -

1 Dargah	35	---
1 Strand Footsuckle	25	---
1 Asst. Do	15	---
5 - Prons	25	---
1 Brindan	20	---
2 Duffadans at 8 each	16	---
310 Prons at 6 each	204	---

Total 310 ---

which deducted from Rup. 930
the cost of the present Establish-
ment will leave Rup. 590 to
go towards the Central Jail.

16 It will be absolutely
necessary to keep up two Foot-
suckles in the District Jail.

17 To the above sum of Rup. 590
should be added the pay of
the

the Fort Jail servants Report
536. Total Report 1126- " " "

18 I would recommend that
the present Dargah of the Fort
Jail, Mahomed Cassim should
be appointed Deputy Jailor in
the new Central Prison.

19 The Manufacturers which
I believe would succeed best are
the following-

Paper - Carpets - Lining Cloth
Bollney - Cumbles - Towels
Ropes - Rugs - Tent Cloth
and grinding wheel for mills,
millers.

I have Very

Respectfully
Signed J. H. Campbell
Deputy Superintendent
Bangalore District

True Copy
Signed R. A. Dobbs
Superintendent

N^o 674

Bangalore Police Court

20th November 1853 48

To
The Superintendent of the
Mundikroog Division
Bangalore

Sir,

I have the honor in reply to Circular
Memorandum N^o 315 of 7th Instant to
forward a Return of the number of
Convicts now in the Cantonment jail
and the periods of their imprisonment
as also the strength of the jail. Establish-
ment and guards with the cost thereof.

As it is not stated, what labor it
is intended to put the Convicts to, that
are ~~not~~ to be removed to the Central
jail, I feel some doubt as to what period
to name as that, that should entail a
transfer, but considering that to a great
extent the Convicts in the Cantonment
jail

181
Jail are domestic servants of one class or
other, coolies and Bi-rose-gars. I think
that if still to be employed as at present
on out-door labor, 3 months imprisonment
or less should not involve a transfer,
but if only in-door labor is henceforth to
be carried on in the Cantonment Jail;
sentence of one month should necessitate
the move.

My reasons for these ~~heretofore~~ ^{heretofore} are:-

1st Being on the spot, no delay would
be caused by transfer, and therefore the
periods should be made as short as possible,
for there is little doubt that the means at
command and stricter supervision and
discipline of the Central Jail in any given
period will or ought to, put at the disposal
of its inmates on their release, greater resources
or facilities for gaining an honest livelihood
than if not so usefully employed or so well
instructed.

70

instructed in their labor or trade, as must necessarily be the case in the smaller jails, and the want of knowledge or ability to put their hands to any thing, when out of employ. I consider one of the chief incentives to crime in the above classes.

2nd If still to be employed in out-door work, I think that they would be more useful in the construction and repairs of Roads &c than in learning a trade which the chances are they would not be adepts enough at to follow as a means of livelihood on being set at liberty, and in the mean time would have done little or no remunerative work at the trade to which they may have been set.

3rd In-door labor in a small jail with an inefficient supervision and comparative want of means or instruction would be really little else than idleness, and therefore the number should be as small as possible, so that the Conservancy,

Cooking

2)
Cooking and gardening for the jail might
if possible engage all hands.

4th The nature of Industrial occu-
pation most adapted to those who have
previously followed no trade seems to
me to be weaving burlies, gunnies,
and cloth, Iron work, pottery brick and
and rope making as natives are quick
in learning all these employments.

~~2 - save 28~~

(Signed) C. Pearse

Superintendent of Police

True Copy "

(Signed) R. S. Hobbs

Superintendent

Establishment

72

	Monthly salary			
		Rs	A	P
1 Jailor	30	.	.	.
1 Hostreddy	12	.	.	.
1 Puckally	6	.	.	.
1 Toty	58	.	.	.
1 Iron Smith	7	.	.	.
Total Rs	60	.	.	.

Per Annum Rs 720-0-0

Guards

Establishment	No	Rank	Amount of Pay		
			Rs	A	P
Barr	1	Harildar	9	.	.
	1	Naigee	6	.	.
	6	Privates at 6-0-0 each	36	.	.
		Total Rs	51	.	.
					Per Annum Rs 612-0-0
Police	1	1 st Class Duffadar	10	8	.
	1	2 nd Class Duffadar	8	.	.
	2	Lance Duffadars at 6 Rs each	12	.	.
	33	1 st Class Peons at 6 Rs each	198	.	.
	11	2 nd Class Duffadars at 5 Rs each	55	.	.
			Total Rs	283	.
					Per Annum Rs 3402-0-0

Total Annual Cost Rupees 4,734-0-0

"True Copy"

(Signed) R. S. Hobbs

Superintendent

Memo shewing the number of Convicts in the Cantonment Jail of Bangalore and their terms of Imprisonment

Convicts	Terms of Imprisonment									Total	Remarks
	Two years upwards	18 Months to 2 years	1 year to 18 Months	9 to 12 Months	6 to 9 Months	3 to 6 Months	2 to 3 Months	1 to 2 Months	Less than one Month		
Males	50	5	26	3	8	2	3	9	2	108	There is at present one East Indian in confinement in the Cantonment Jail.
Females	9	1	10	4	1	4	1	2	4	26	
Children	4	4	1	4	3	4	4	4	4	4	
Total	59	6	37	3	12	2	4	11	2	136	

Bangalore
Police Court
20th November 1863

(Signed) L. Pearce
Cant^y Magistrate
&
Superintendent of Police

"True Copy"

(Signed) R. S. Lobbs
Superintendent
Munddroog Division

Gr. C. 22, 961
22 219

Door Room District,
Dep^y Sup^y Officer,

No

79

The Superintendent of the
- Hindustani Division,

Sir,

- As requested in your Circular
No. 316 of the 7th Instant, I have
the honor, in reply to the 3^d Para
of the Ad^l Commission's letter
thereunto annexed, to inform you
that the number of Prisoners in
the Door Room Jail on the 1st
Instant was 375, and the average
2^d since May last, 315.

2 The annexed Table gives
the particulars.

The Establishment consists
of -

- 1 European Jailor
- 2 Footsaddies
- 1 Writer
- 1 Peon
- 1 Scribe
- 1 Hobliwan

And 4077 of 2 Dec 1937
 is the memorandum by Mr. J. C. S. J. J.
 Judge C. S. J. J. 1937 of 1937
 regarding Medical Officers.

Observe that as the foundation letter contains a full account of what has happened on one of the Prisons & better the internal arrangements & discipline of the jail. It is some way for me to add my detailed remarks. Considerable difficulties are encountered at first from the condition of the buildings formerly employed as jails being ill adapted for carrying out an improved system. But with the system of the Prisoner Jail, the prisoners in which it was found necessary to remove ring to its unhealthiness, the general health of the prisoners in the Prison has been good & in Bangalore remarkably so. It may not be out of place to state that the construction of new districts has undeniably reduced the number of small jails at the head quarters of each, and that some time must elapse before there can be built. The general state of the public mind in Bangalore and most other factories, and our means have not admitted of our building at new jails but required. Indeed the newly constructed Bangalore Central Jail, and the only prison there it has been found practicable to carry out an official system of internal discipline. Such reforms cannot be effected in the other districts.

186-6

Full Committee.

To the Secretary

Dated 23rd December 1937

Despatched

Received 27th

Regd 30c
 Enclosures No.

General No. 199

No.

43

Advertising to Pocket

559 of 1937
 1937 1/19th Jan. reports on the subject of Sails and the steps taken towards giving effect to the several suggestions & recommendations of the Indian Sail Committee.

Comm.

7 Dec 37

Report required by 27/12/35
 City letter not to put in reply
 to letter 1977 of 30 June 35

erited.

With regard to the first Com
letter 193 7719 Dux/65, stated
that I concurred with him that
the Vancouver Central Jail
may appropriately be placed
under the care of a Medical Officer
and that Dr Henderson is the
best selection that could be
made. I would suggest however
that he should continue to
aid the Surgeon of the Jail in
the Civil details of the Commission
as at present, that the allowance
now paid for this charge 100
should cease.

Should the Hon & Surgeons
at Montreal & Winnipeg decline
under the new scale of salaries
believed the under consideration
of Salaries increased allowances.
I consider that no addition to
their present pay package is
necessary, but should the
increase referred to not be paid,
I think the sum proposed by
the first Com, viz 80 monthly
is reasonable.

B 7/1/66

71

N^o 199.

Mysore Judl Commissioner's Office
Dated Bangalore December 1865.

From

C. B. Saunders Esquire C. B.

78

Judicial Commissioner

in Mysore

To

The Acting Secretary

to the Commissioner

of Mysore

Sir,

Referring to your Docket⁺ sent N^o 4108 of the
19th Instant giving cover to letter N^o 4667 dated 2nd
December 1865 from the Off^{ce} Under Secretary to
the Government of India Home Department to
your address and to the previous correspondence
on the subject & the report called for in the circular
issued from the Home Department N^o 5530 of the
19th November 1864 applying for information
as to what has been done & as to giving effect
to the several suggestions and recommendations
of the Indian Rail Committee, I have the honor to
submit the following Supplementary Report -

as from the subsequent correspondence received under cover of your L^t N^o 1440 dated the 18th July 1868 it would appear that an additional report is required as to whether anything has been done or is proposed to be done with respect to the recommendations of the Jail Committee on their report to complete the information called for by the Right Honorable the Secretary of State in the enclosure of the Circular from the Home Department above quoted. It will be found desirable to refer briefly to each of the several recommendations and suggestions in the order in which they are laid down in the Committee's Report pointing out those that have been adopted and those which it is proposed to introduce into the Mysore Jails.

A Health of
Prisoners

3. The first point noticed in the above report is the health of the Prisoners.

The

77
for the information of the Commissioner and
for communication to the Supreme Govern-
ment.

2. In pursuance with the instructions
contained in Circular N^o 59 dated the 25th of
August 1864 from the Secretary to the Govern-
ment of India in the Public Works Department
received under cover of your L^{tr} N^o 213 ²¹³/₃₆₃ dated 26th
September 1864 full and statistical details
with plans were furnished by me in my
N^o 252 dated the 18th February 1865 showing the
state of accommodation of the existing 'ails' by
the Province and recommending cer-
tain provisions and suggestions which I deemed
it expedient to make with the view of suitable
and sufficient 'ail' accommodation being
provided in accordance with the scale laid down
by the Indian Rail Committee to meet the grow-
ing requirements of the Province. But

6) The excessive sickness and mortality of the Prisoners generally in Indian jails the Committee has considered to be mainly attributable to the following causes:-

- 1 Overcrowding
- 2 Bad Ventilation
- 3 Bad Conservancy
- 4 Bad Drainage
- 5 Insufficiency of Clothing
- 6 Sleeping on the ground
- 7 Deficiency of personal cleanliness
- 8 Bad Water
- 9 Reception of labor from unfit persons
- 10 Insufficient Medical Inspection

4 The over crowded state of the Prisons was among one of the first things which attracted my attention in connection with the jails of this Province. Overcrowding 58

Early measures were consequently taken to obtain the sanction of Government to the erection of a Central

Central Jail at Bangalore capable of holding about one thousand. Prisoners with the view to do away with the overcrowded and unsuitable buildings used in Bangalore as jails and to relieve the other Prisons of the surrounding districts of a portion of their inmates as well as for the introduction of a generally improved system of Jail discipline and management. The size of accommodation in the existing and proposed jails having been fully noticed in my letter above quoted and the recommendations for extending the same by the erection of New District jails and enlarging and improving the old ones having already received the approval and sanction of the Supreme Government it may only be necessary to add that it is hoped that the Department of Public Works will when Budget allotments for the object shall have been made take active measures to carry the same into effect.

Wm

When the above buildings shall have been constructed the Prison accommodation of the whole Province independent of Tarad's Lock-ups will stand thus.

1. Central Jail at Bangalore capable of accommodation for nearly 200 Prisoners.
2. Second Class District Jails at Mysore and Channarayana for 300 Prisoners each.
3. 1st class Jail at Bangalore for 100 Prisoners.
4. 2nd class District Jails at Bangalore, Hassan, Coorg, Chikmagalur and Chitaldrug for 112 Prisoners each.

This will afford accommodation for about 2100 Prisoners according to the standard of curricula and superficial space allotted by the Jail Committee which it is conceived will prove ample and thus meet a anticipated requirements.

The enlarged accommodation afforded by the New Central Jail which has now been secured

89

for fully one year has for the present in a great measure tended to obviate the evil which the Committee so justly ascribe to an over crowded state of Prisons. — This Jail which is calculated according to the scale of cubic capacity fixed by the Jail Committee to hold about 900 Prisoners has but seldom contained that number. The number of inmates in the Mysore Jail is scarcely ever in excess of the number it is capable of containing, according to the above standard. In the Townlock Jail the accommodation is more than sufficient. It is the regret in anticipation of the construction of the new Jail which has been sanctioned a temporary Jail has been erected during the past year in a good locality which has necessarily greatly relieved the Prisoners from the green rot and cancer tree formerly experienced of being overcrowded in the old rest houses and

6
and long since condemned jail of that District.

I have been led to make the above observations to prevent any inference being drawn as to our present jails being crowded at present to such an extent as to be in any respect detrimental to the health of the Prisoners or that the recommendation of the Committee on this point has not received that prompt and immediate attention which it deserved.

5- The next cause to which the Committee attributes the ill health of the Prisoners is bad Ventilation. In the construction of the central jail due regard has been paid to free roof and lateral ventilation and in the approved designs for the New District Jails which are proposed to be built special attention has been directed to the above in conformity with the recommendation of the Committee. The Sigore and Poornima Jails though originally not

Bad Ventilation

defective

The defects in the above mentioned installation^s requisite
 of the system have been further improved by the
 measures which have been taken to increase
 the number of apertures for the ingress of fresh
 air and the egress of the heated and vitiated
 atmosphere in winter.

Sanitation
 measures.

6 The Sanitation Conservancy System
 which the Committee so strongly recommend
 to be adopted has been introduced with the
 most marked success in all the Lairs and
 Societies in this Province. Special attention
 has been paid to this system of conservancy
 in the Central Lairs both in the construction
 of the Lairs and Drains and in removal
 and desodorization of the contents at a distance.
 The President of the Committee directed by
 his Excellency the Governor has ordered to
 inspect the Bangalore Lairs and with the
 view of adopting some of the most advantageous

67

features and arrangements of the building in determining upon a standard and improved design of Jail for the Districts in the Madras Presidency has in a letter which not long since received from him expressed himself in the following terms with reference to the conservative arrangements of the above Jail. "This Commission, on a sketch submitted by Surgeon Major Porters so highly approve of the plan in the Jail at Bangalore, combining as it does simplicity and efficiency that they have adopted it as a Standard Plan to be introduced throughout this Presidency."

7 In all the Jails of the Province there is not I believe much to condemn on the subject of drainage. Shallow saucer drains lined with granite and sub soil drains are those which are constructed in the principal Jails.

The central jail standing as it does on elevated ground which has a considerable slope towards the west admits of free drainage. In the selection of sites for the construction of the District Jails one of the most essential requisites invariably enjoined upon the Committee appointed to determine the same is that the ground be capable of being freely drained, and care will be taken that the suggestions of the Committee are attended to in regard to the description of drains which have to be constructed.

Insufficiency
of clothing.

The convicted prisoners in all the jails are provided with a sufficient and suitable supply of clothing and with a couple of blankets or blankets each. Stricter attention to the clothing of the under trial and aged and infirm prisoners than was formerly the case will be paid as recommended

20
by the Committee.

9 No serious evil has been found to result from the Prisoners being allowed to sleep on the ground and as it is the invariable custom of the natives of all classes in this part of India, with but very few exceptions I believe to sleep upon the ground, and as there appears to be no particular advantage likely to be gained by accustoming the inmates of our jails to luxurious and expensive habits which they cannot gratify on their leaving their precincts, I do not propose to put the Government to the somewhat unnecessary expense of providing cots or charpoyas for the Prisoners which they would be most reluctant to use if they were to get them. I cannot therefore recommend that the suggestion of the Committee in the above respect be adopted in

in the jails of this Province.

90

reficiency of
personal clean-
liness.

10 Lavatories for cold bathing are constructed in the central jail and measures have been adopted in connection with the Hospital to provide in case of necessity for the sick Prisoners warm baths when ordered by the Medical Officer. The strictest attention is paid to the personal cleanliness of Prisoners in all jails.

Bad water

11. In the selection of sites for jails, care has always been taken to ascertain that the supply of water is abundant and of good quality. In some jails of course, the water is better and purer than in others but care is taken to have the wells properly and periodically cleaned out. In the Bangalore central jail two large cisterns have been constructed to serve as filters for the supply of drinking water for the Prisoners after

21

It has been purified by passing through charcoal and sand. The water is conducted into the different detached yards by means of iron pipes which have been constructed out of old gun barrels screwed one into another.

12 While due regard is paid to the recommendation of the Medical Officers in charge of jails on behalf of prisoners considered by them incapable of hard labor on account of physical infirmities old age and other causes, care is taken that the privilege is not abused and that no undue advantage is gained by making every prisoner to obtain a mitigation of their original sentences. Exemption of labor from unfit persons.

13. The Prisoners in each of the jails are regularly and daily inspected by the Medical Officers attached to the jail and occasionally by the Deputy Inspector General of Hospitals whose advice on all points con-

is needed.

needed with the sanitary condition of ⁹²
the Prisoners receives prompt consideration

14 Although the precautionary measures recommended by the Indian Jail Committee as regards the health of the Prisoners have been very generally attended to in all the Mysore jails, yet it cannot be expected that until all the proposed jail buildings shall have been completed and fit for the occupation of the Prisoners that a perfect system of Sanitary management can be effectually carried out in all its numerous details so as to ensure as far as may be practicable the attainment of a very high standard of health. In the Central Jail, however, which has been occupied for the last 15 months and where the Sanitary condition of the Prisoners has been most

scrupulously attended to, the general health of the Prisoners has been remarkably good though there have been a good many deaths amongst the very old Thuggs & ^{paucity} Prisoners who had many of them ^{been} in jail for more than 30 years under their sentences of imprisonment for life.

With reference to this subject Dr Balfour the Dy Inspector General of Hospitals, Mysore Division in a letter dated the 29th of July 1865 addressed by him to the Surgeon of the Mysore Commission has remarked that "The high rate of health which the Prisoners in the Central Jail have enjoyed is perhaps unexampled in India."

15 - The number of juvenile offenders which was never very large having been still lessened by the introduction of the Whipping Act, separate establishments to serve for Reformatories as distinct from the jail

B juvenile delinquents and Reformatories.

have not been found necessary. Care however is taken that the young delinquents who are confined in the jails are kept entirely separate from the older and more hardened offenders, and their education both mental and industrial is carefully attended to in the Central jail.

C Female
Prisoners

16 The proportion of female as compared with the male convicts being so very small it has not been found desirable to have a separate institution exclusively for them. Those however who are confined in the jails are entirely separated from the prisoners of the opposite sex. In the Central jail the wards and hospital for the female prisoners are built at a respectable distance from the male wards, and the other suggestions of the Committee with regard to the entertainment of a female warden and warders

or

and the employment of the Prisoners on industrial occupations suitable to their sex are observed.

17 A well considered scale of Dietary - D. Jail Dietary which was carefully prepared in consultation with the Medical authorities with due regard to the habits and characteristics of the people as well as the peculiarities of the Climate of this part of India was introduced as an experimental measure and after some modifications which were found to be practically necessary, it was ultimately and with the most beneficial results adopted as the standard scale for all the jails of the Province. The other recommendations of the Jail Committee with reference to the non-reduction of food as a punitive measure the proper and honest distribution of the rations and the preparation and

inspection of the food are duly attended to. Wherever it has been practicable, jail gardens have been cultivated from which the Prisoners receive their daily supply of vegetables.

Is Jail Dis-
cipline.

18 So it cannot be expected that reforms which modern experience has brought to bear upon the discipline and management of jails can at once be made to supersede a system of evils which has long been permitted to take root in our Indian jails it will of course be found impracticable to enforce and sustain as rigid a system of discipline as that which has been prescribed by the Indian Jail Committee without in the first place having suitably constructed jails and securing efficient and active Superintendence.

87

The system prescribed has however been with but very few exceptions carried out in the Bangalore Central Jail and it is hoped that when all the District Jails are constructed and completed that the rules laid down by the Jail Committee for the internal government of Jails will be more effectually carried out.

19 In the Central Jail which has been built upon the radiating principle on the most approved standard plan and where a competent staff of officers is employed and strict method of discipline similar to that enjoined by the Jail Committee embracing a well organized system of intramural labor, the proper distribution of rewards and punishments and education of Prisoners in industrial professions as well as the younger portion

in reading and writing have to a greater or less extent been introduced with the most beneficial and salutary results.

98

F Habitual
Offenders

20 The suggestions of the Indian Jail Committee, with reference to the manner in which habitual offenders are to be dealt with, will be adopted as far as may be practicable.

G Tickets of
Leave.

21 No Ticket of leave system prevails or has ever been introduced into the jails of this Province.

H Classification
of Prisoners

22 It is found impracticable to maintain in its entirety the scheme of classification of convicts recommended by the Jail Committee in some of the old jails of the Province as they are at present constructed, but distinction between the different classes of

Criminals is nevertheless kept up as far as circumstances will admit.

In the Central Jail however, the system of classification of the Prisoners recommended by the Committee has been introduced with success. In the Jails of Mysore, Channarayana and Joravkar a similar system has also been carried out in as far as it has been found practicable to do so.

23. The Head Jailor of the Central Jail receives 150 Rs per mensem in addition to salaries of Jailors

to a per centage on the net profits of the Prison. Those of the Mysore and Channarayana Jails receive one hundred Rs per mensem each for their labour. The salaries of the Jailors of the

smaller Jails will be regulated and fixed after the new Jails are built and an efficient class of Officers secured.

24. A regulated system of fines can only be enforced with salutary effects - on Prison Officers

after a suitable class of well paid prison
Officers^{or} entertained in the jail establish-
ment. The principle is however not
lost sight of in dealing with the present
Jail servants. 10

X European Prisoners

25. A separate and suitable building
for the accommodation of European and
Eurasian Debtors who may be confined
in the Civil Jail has been lately construct-
ed in connection with the Central Jail and
has been already occupied. A strong and
substantial building is now in course
of construction for such Europeans or
Eurasians as may require to be provided
with accommodation on the Criminal
side of the Jail. It does not appear
desirable or necessary to have accom-
modation in the District Jails of the
Province for European Prisoners not only

101

on account of the paucity or rather entire
absence of Prisoners of the above classes but
because such criminals as come under
the denomination of European British
Subjects of course, with few exceptions com=
=mitted to the High Courts and are general=
=ly, after conviction, confined in the Pre=
=sidency jails.

26. The authoritative promulgation of Statistics of an uniform plan of Jail statistics for introduction into all the jails of India would prove of the highest importance in ascertaining the peculiar characteristics of crime, the periods and localities in which it is committed, as well as its general increase or decrease, and at the same time afford other essential particulars which are almost indispensable to a right understanding of the subject of jails.

Ln

27. In conclusion I would beg to refer you to my letter N: 193 dated the 19th December 1865 in which I have recommended that the Central, Mysore and Phenogah jails should, in furtherance of the suggestion made by the Calcutta Jail Committee, be respectively placed under the immediate control and superintendence of the three Medical Officers I have therein mentioned as having special claims to be nominated for the above duty.

I have the honor to be
Sir,

Your Most Obedt. Servant

Chas W. Saunders

Judicial Commissioner

Edm.

SL 45

No 124 J.

103

From

W. Le Poer, Esq. of

Under Secy to the Govt of India,

To

Col. R. J. Meade C.S.I.

Offy Chief Commissioner of
Mysore.

Dated, Simla, the 4th Augst, 1870.

Foreign Dept - Secy,

Ind. C.

With reference to your letter
No 6306-309 J, dated 21st March 1870,
and its enclosures, I have the honor
to forward a copy of a Memorandum
from the Home Department, No 1279,
dated 16th July 1870, and of its enclosures,
containing the remarks of that Depart-
ment on the rules proposed for the
employment of Convicts on large
public

public works where the faulds may be over crowded.

2. I am to request that the draft rules submitted by you may be remodelled in conformity with the suggestions of the Home Department, unless there are, in your opinion, objections to such a course, owing to any circumstances peculiar to thysore.

3. Copy of the Portland Prison Rules, referred to in paragraph 5 of the abovementioned Memorandum, will, on receipt from the Home Department, be duly forwarded for your perusal.

I have the honor to be,
Sir,
Your most obed. Servant,
H. B. Byrne

2 Dec. 44. Under Secy to the Govt of India

(Copies)

No. 1279.

HOME DEPARTMENT.

JUDICIAL.

Dated Simla, the 16th July 1870.

OFFICE MEMORANDUM.

106

THE undersigned is directed to acknowledge the receipt of the communication from the Foreign Department, No. 80J, dated the 20th May last, and in reply to offer the following remarks on the proposed rules submitted by the Chief Commissioner of Mysore and Coorg for the employment of convicts in associated labor in the open air on large public works when the jails may be overcrowded:—

2. *Rule I.*—The Judicial Commissioner is mistaken in supposing that extra-mural labor is *only* to be resorted to in the event of overcrowding. It is quite true that an extra-mural gang will form a permanent remedy against overcrowding; but extra-mural labor is henceforth to form a regular part of prison discipline applicable to long-term prisoners of fairly good character under the principles prescribed by the Government of India; and there will in all Provinces be works upon which this kind of labor can be well utilized, such works being of the nature described in this rule.

3. *Rule III.*—Clauses 1, 2, 3 and 4 of this rule are superfluous, being implied in Rule II. which precedes them.

4. *Rules VII. & VIII.*—As to the strength of the necessary establishment, the Chief Commissioner is referred to the orders quoted in the margin.

5. *Rules X., XI. & XII.*—These rules regarding the daily routine might generally be amended after reference to the Portland Prison Rules, circulated with the order of this Department, No. 261—270, dated the 7th February last.

6. *Rule XIV.*—This rule can hardly stand. It would only be necessary in the case of desperate prisoners, and such men are not to be employed on extra-mural work at all.

7. *Rule XV.*—As regards the control of the work and the relation of the prison to the Public Works Department, the Chief Commissioner should be referred to the orders of 7th January 1870, No. 50, from this Department.

8. *Rule XVI.* is unobjectionable; but scurvy is quite a preventible disease and need not be provided for in the rules as a matter of ordinary and natural occurrence.

9. *Rule XIX.* is not clear. The gang will usually form a jail with a Superintendent of its own.

10. *Rule XX.*—The rewards open to extra-mural convicts have already formed the subject of a separate Resolution No. 1146—56, dated the 30th ultimo, and the rule should be revised according to the principles laid down in that Resolution.

11. In conclusion, the undersigned is desired to forward a copy of the recent orders* on the subject of extra-mural labor, all of which should be considered by the Chief Commissioner. The measure is however experimental, and the rules must be modified as experience advances.

* No. 1632, dated 28th October 1869.
" 50, " 7th January 1870.
Resolution No. 617, dated 31st March 1870.
No. 1048, dated 15th June 1870.
Resolution No. 1146—56, dated 30th June 1870.

J. E. Hayley.
Secretary to the Govt. of India.

TO THE FOREIGN DEPARTMENT

No. 1632

*Extract from the Proceedings of the Government of India in the Home Department (Judicial),—
under date Simla, the 28 October 1869.*

READ again—

The Resolution of this Department, No. 2028-40, dated the 28th of December last, restricting transportation to Port Blair to the cases of life convicts, and requesting the Local Governments and Administrations to regulate the provision of jail accommodation accordingly, &c.

Read a despatch from Right Hon'ble the Secretary of State, No. 20, dated 22nd July 1869, fully approving of the above Resolution.

Read again the undermentioned correspondence :—

Letter No. 30, dated the 9th of January last, to the Officiating Chief Commissioner of the Central Provinces, in regard to his recommendations that the Central Jails at Nagpore and Jubbulpore should be constituted places of transportation under the provisions of Section 51 of the Criminal Procedure Code.

Letter No. 31 of the same date, to the Government of Bengal, in regard to a similar recommendation as to the Central Jails at Alipore, Deegah, and Hazareebaugh.

Read again the undermentioned correspondence with the Chief Commissioner of British Burmah :—

From the Secretary to the Chief Commissioner of British Burmah, Nos. 558-12 and 41-2, dated, respectively, the 19th and 20th of April last.

Reply to the above letters, stating that certain general orders will shortly be issued in reference to the recent ruling that convicts are not to be sent to "Port Blair except for life," and that meanwhile there is no objection to Burmese convicts under sentence of transportation for life being sent, as usual, to Bombay or to Madras.

Read also the undermentioned replies to the Resolution of the 28th of December last :—

From the Government of Bombay, No. 470, dated the 10th of February last.

From the Government of Bombay (in continuation of the above), No. 954, dated the 20th of March.

From the Government of Bengal, No. 2000, dated the 22nd of March, with enclosures, recommending that the whole of Assam may be declared a place of transportation under Section 51 of the Criminal Procedure Code; it being left to the Local Government to select the jails to which prisoners may be sent: and stating that the recommendation as to Assam will not supersede that regarding the Central Jails at Alipore, Deegah, and Hazareebaugh.

From the Government of the North-Western Provinces, No. 342, dated the 20th of March, with enclosure, requesting that the Central Jails at Benares, Allahabad, Agra, Furruckabad, Bareilly, and Meerut may be appointed places for the reception of persons sentenced to transportation.

From the Government of the Punjab, No. 972, dated the 16th of July, submitting proposals for increased jail accommodation in the Province.

Read also—

Letter from the Government of the Punjab, No. 478, dated the 12th of April, with enclosures, requesting early sanction to the erection of temporary subsidiary jails for short-term prisoners, and enquiring whether out-door labour is deemed desirable.

RESOLUTION.

THE Resolution of the 28th of December 1868 restricted transportation to convicts sentenced for life. This order has been fully approved by the Right Hon'ble the Secretary of State, and nothing has since occurred to throw doubts

on the propriety of the change. Further action must, however, be taken to provide for the numerous convicts who, but for this restriction, would have been sent to Port Blair under sentence of transportation for periods of seven to fourteen years.

2. The first necessity is to fix places of imprisonment for the criminals who will be sentenced to transportation for a term of years, if the Courts continue to exercise the full discretion vested in them by Section 59 of the Indian Penal Code.

3. In Bombay the difficulty has been removed; the Judges of the High Court having issued a circular in which an opinion is expressed that the Sessions Judges should in future refrain from passing sentences of transportation except for life.

4. Under the other Governments, the Courts may possibly continue to pass sentences of transportation for a term of years. To meet this contingency, an application has been made by the Government of the North-Western Provinces to declare, under Section 51 of the Criminal Procedure Code, certain Central Jails in those Provinces places of transportation. The Governor General in Council is pleased to comply with the application, and to issue a Notification accordingly. The Local Government might call the attention of the High Court to the Notification, with the view to the issue of a circular to the District Courts,—not to fetter the Court's discretion in any way, but simply to let it be known what will be the effect of passing sentences of transportation otherwise than for life.

5. The Government of Bengal has made a different proposal to meet the difficulty. It is desired to make Assam a place of transportation generally for Bengal. To this proposal the Governor General in Council cannot assent. Not only are there grave doubts as to the prospect of convicts from the Lower Provinces retaining their health in Assam, but the proposal is open to objection, on the ground that it is not expedient or proper to select particular Province, or any one portion of it, for a penal settlement.

6. There would not be the same objection to an interchange of convicts between Bengal and Madras or Bombay, but Assam is notoriously distasteful to all inhabitants of Bengal Proper. This distaste would be aggravated by formally declaring Assam, or any tract similarly circumstanced, to be a penal settlement. It seems preferable therefore to declare the Central Jails of Bengal to be places of transportation.

7. But there will remain in every Government and Administration the same difficulty as to the disposal of the numbers who will now stay in the country, instead of being transported to the Andamans. It is not possible to provide sufficient accommodation in Central Jails for the increased numbers of convicts. This question has already been raised in the above-quoted letter from the Punjab Government of the 12th of April 1869.

8. The Governor General in Council is of opinion that much advantage would result from a revision of the mode of treating convicts under sentence, and that when the Central Jails now under construction or proposed are near completion, it will not be difficult to devise for convicts in India a system based on the principles now observed in carrying out sentences of penal servitude in the United Kingdom.

9. For this change, however, some time is needed, whereas an urgent necessity exists for making immediate provision for a large body of men. It must be considered, therefore, what modification of the present system may be now devised, so as to give early relief, and prevent the overcrowding of the jails. Such relief may best be found in a relaxation of the rules prohibiting extra-mural labour.

10. In the opinion of His Excellency in Council, the present rules for jail discipline have gone to an extreme in discouraging extramural labour. It is quite true that frequent failures in the employment of convicts on out-of-door labour, may be quoted in support of the existing rules, but the failures have been owing rather to want of observing the proper conditions necessary to ensure success, than to any other cause.

11. At the present juncture, when so many additional convicts will have to be provided for in India, it seems to be a peculiarly fitting opportunity for giving, with due caution, a fair trial to a system of open air labour, not in supersession of, but as an addition to, the existing modes of discipline sanctioned for prisoners under sentence.

12. The Governor General in Council has therefore no hesitation in authorizing a trial of out-door labour, provided that certain conditions are very rigidly observed.

13. In the first place, it should not be permitted to scatter convicts on works at different points. The men must be employed in large bodies so as to be under a supervision as constant and as rigid as that to which they would be subjected in the best regulated prison in India; for the enforcement of such discipline European supervision is absolutely necessary. The earthwork of large embankments and the excavation and head works of large canals are peculiarly well suited for the employment of convicts, and it is essential that convict gangs should not be associated with bodies of free labourers. As fitting accommodation and shelter must be provided, the convicts should be located at places where these works of construction are likely to last for a considerable time. The greatest care as to diet and the observance of the strictest sanitary precautions must be provided for by regulations that cannot be evaded or misunderstood. Care must be taken not to employ on these detached works desperate characters, who are known to be likely to attempt to escape, or men who, from their former mode of life, or their weak physical constitution, are unlikely to bear the fatigue and exposure of out-of-door work.

14. The Governor General in Council would also correct the impressions entertained by the Punjab Government that the class selected for out-of-door work should be short-term convicts. Prisoners, under short sentences of rigorous imprisonment, should be strictly kept to rigorous labor within the jail walls, and the class from which the out-door labourers should be drawn is that of convicts sentenced for long terms, but of whose imprisonment a period remains unexpired. Thus no one sentenced to less than one year should be sent to labour in these gangs, in which prisoners convicted of the most heinous crimes must be associated. In order to diminish the inducements to escape, the Governor General in Council would sanction rules, providing for a remission of sentence not exceeding one month for every year of good work performed by a convict on out-door labour.

15. The establishments to be employed on these subsidiary jails, the additional guards, and other charges will have to be separately sanctioned, and an account of the value of the work performed will have to be scrupulously kept, so that the financial results may be recorded and reported in the annual Jail Reports.

16. The several conditions above noted, and any further precautionary regulations that may be deemed advisable, should be embodied in a code of general rules. Additional special rules may be required by local circumstances, but the main rules to be observed will be of general application, and His Excellency the Governor General in Council would be glad to receive from the Local Governments of Madras, Bombay, Bengal, North-Western Provinces, and the Punjab, a draft of such general rules.

17. It may be expected that, under the orders now issued, the Local Governments and Administrations will have no difficulty in providing for the surplus prisoners who will remain in India instead of being transported to Port Blair.

ORDERED, that a copy of the above Resolution be forwarded to the Local Governments and Administrations for information and guidance, and that a copy of the Notification mentioned in paragraph 4, be also forwarded to the Government of the North-Western Provinces. That a copy be forwarded to the Government of Bengal, with a request that it may be stated, with reference to paragraphs 5 and 6, what Central Jails should be constituted places for the reception of prisoners sentenced to transportation.

Ordered also, that a copy be forwarded to the Financial and Public Works Departments for information.

(True Extract.)

Secretary to the Govt. of India.

JUDICIAL.

Index
No.Progs. No.
and date.

HOME DEPT. PROCEEDINGS, JAN. 8, 1870.

Proposal for reimbursing the Jail Department and charging the Department of Public Works for the services of prisoners employed on public works under the orders of 28th October last regarding extramural labor.

Nos.
45 & 46.

Extract from the Proceeding of the Government of India in the Financial Department, No. 3013, under date the 13th December 1869.

Jan. 8.

Nos.
65 & 66.

No. 45.

OBSERVATIONS.—The Governor General in Council observes that it has been determined to employ prisoners on public works in gangs sufficiently large for the maintenance of a strict control over them and proper discipline, and for the exaction consequently of a full tale of work from them.

No. 65.

2. By this measure the Public Works outlay for free labor will be materially reduced, but unless some special arrangement be made, there will not be any corresponding reduction of Jail expenditure, nor will the financial control over the expenditure on public works be properly controlled. For, under existing rule, the ordinary charge for food and clothing of prisoners (which is the chief expense on their account) continues a Jail charge even when they are employed on public works, the cost of guards, and like extra expenses being alone charged to the public works allotment.

3. In this way the public works allotment is virtually increased by the proper value of the labor of the prisoners, and as the general revenues are now heavily burdened from the growth of Jail charges, while the public works allotment will be materially relieved from outlay for free laborers by the systematic employment of prisoners on public works, it is requested that the fairest way of reimbursing the Jail Department, and charging the Department of Public Works for the services of prisoners employed on public works, may be considered in the Home and Public Works Departments.

ORDER.—Ordered, that the foregoing observations be sent to the Home and Public Works Departments.

(True Extract.)

R. B. CHAPMAN,

Offg. Secy. to the Govt. of India,
Financial Dept.

No. 46.

Office Memorandum No. 50, dated the 7th January 1870.

No. 66.

WITH reference to the paper noted in the margin, enquiring the fairest way of reimbursing the Jail Department, and charging the Department of Public Works for the services of prisoners employed on public works under the orders of the 28th October last regarding extramural labor, the undersigned is directed to communicate the following remarks, and to invite an expression of the views entertained in the Public Works Department.

2. In the opinion of the Home Department, the English principle should be adopted, and the convict department in the execution of public works should stand to other Departments of the Government precisely in the position of *contractors*. The Department for which the work is to be executed should give precise instructions and specifications with respect to it to the Inspector General of Prisons, who will be the controllers of convict labor, and who

112
Index
No.

()
J U D I C I A L.

Progs. No.
and date.

HOME DEPT. PROCEEDINGS, JAN. 8, 1870.

-
- No. 46. should have the power, without being interfered with, to carry on the work in the manner they judge best for the discipline of the convicts. The value of the labor performed by convicts should then be ascertained as nearly as possible as if it had been performed by contractors, and should be charged for accordingly. No actual cash transactions need be involved. Jan. 8. No. 66.

A. P. HOWELL,
Under Secy. to the Govt. of India.

To the Public Works Department.

X

No. 617

*Extract from the Proceedings of the Government of India in the Home Department
(Judicial), under date Fort William, the 31 March 1870.*

113

READ again the undermentioned papers on the subject of the employment of convicts in extramural labor :—

Resolution Nos. 2028 to 2040, dated the 28th December 1868.

Ditto „ 1632 to 1643, dated the 28th October 1869.

Read also letter from the Government of the North-Western Provinces, No. 243, dated the 15th February 1870.

REMARKS.

THE Resolution of the 28th October last prescribing the adoption of a system of extramural labor for long term convicts was the natural sequence of the orders of the 28th December 1868 restricting transportation beyond seas to life sentences. In the former Resolution the general principles to be observed in carrying out the experiment were laid down and the Local Governments were asked to submit drafts of such rules as might be considered necessary to give effect to this important reform in prison discipline.

2. The letter from the Government of the North-Western Provinces above quoted is the first reply to the orders of the 28th October; and it raises some objections to the proposed measure. Briefly stated, these objections are as follow:—

(1.) It is alleged that past experience goes to prove that convicts cannot be advantageously employed in the construction of public works, such as making roads and erecting embankments or bridges, on account of the great outlay required for maintenance, management and guarding, and of “the entire want of discipline in the system,” and “the dreadful mortality which used to occur in outlying gangs;”

(2) that it is the long term prisoners whose labors chiefly contribute to the profits of Jail manufactures, short term prisoners being employed at little profit intramurally. If, therefore, the former are removed for extramural work, there will be a serious falling off in the present returns of convict labor;

(3) that the expense of merely guarding and supervising a body of 1,000 prisoners would alone amount to Rupees 1,800 per mensem.

3. The solution of these difficulties is essential to the successful introduction of the new scheme, and the Government of India will examine each objection separately in the order in which it is set forth above.

4. As regards the first objection, it may be said that the Inspector General's remarks apply to the *old* system of *extramural* labor, under which prisoners of all kinds without discipline and without sanitary precautions were often indiscriminately handed over to an engineer, whose object was to get as much work out of them as he could, and who paid little or no regard to any other consideration. This was the system against which the committee of 1836 protested so strongly. But the Government of India never contemplated the revival of such an arrangement and would never permit a reversion to proceedings which were the cause of so many evils. On the contrary, it was distinctly stated in the 13th paragraph of the recent Resolution that the old abuses should be carefully guarded against. In fact the whole object of that Resolution was the introduction of an improved system based on the plans that have worked successfully in England and Ireland.

5. The Inspector General's statement as to the results of "past experience" must be understood as relating to past experience under an improper system, for elsewhere it has been proved that the maintenance of discipline on extramural labor has been complete, and that financially a saving of 50 per cent. on the cost of free labor has been effected; nor is there any reason to apprehend that with the sanitary precautions already ordered, the mortality among prisoners extramurally employed will exceed or even equal that under the present system.

6. Both the Inspector-General and the Local Government suggest the employment of prisoners at the stone quarries of Mirzapore. The suggestion is a good one if the stone can be utilised by the Public Works Department within easy distance. It is, however, believed that there is not otherwise a sufficient demand for the stone unless it could be produced at a cost much below its present market rate.

7. As regards the second objection, the Governor General in Council observes that the Inspector General seems to be under the impression that *all* long term prisoners are to be employed extramurally; but this was never intended. In the first place, the labor of all the long term prisoners in the North-Western Provinces could not possibly be utilised extramurally. Moreover, it was provided in the thirteenth paragraph of the same Resolution that the desperate criminals who are likely to attempt to escape, and those that are physically unfit to bear the fatigue and exposure of out-door work, should be specially exempted from the operation of the new system. What is wanted is that there should be one or more large bodies of prisoners always employed in out-door labor, at quarrying or other public works, capable of increase or decrease with the requirements of the Public Works Department in any branch of labor, and with the rise or fall of the prison population. Such body or bodies of men would be compactly employed, would be recruited by long term prisoners who have passed through probation, and would be a standing remedy against overcrowding. There is, therefore, no reason why Jail manufactures should not be kept up as now; but it would be contrary to the English practice, and to what was intended to be introduced in India, if short term or other prisoners were employed extramurally without passing through the prescribed period of one year's probation.

8. With reference to the third objection, His Excellency in Council has no doubt that the cost of the supervising establishment has been over-estimated. If 1,000 prisoners cost Rupees 1,800 per mensem merely to supervise and guard, the total charge for their maintenance will give but a very small saving over the cost of free labor. The Inspector General should attempt to reduce the proposed supervising establishment. In England one warder supervises a gang of 14 men; and looking to the fact that in this country prisoners are far more tractable, and that desperate criminals are not to be extramurally worked at all, one armed warder might perhaps supervise a body of 20 men;—the number of head warders can also, it is believed, be reduced to five. This would give a saving of 40 warders and five head warders. The office establishment too seems capable of considerable reduction. A European or Eurasian Superintendent on Rupees 200 rising to Rupees 300 a month, with two European or Eurasian Assistants and two Native Clerks are considered ample, if the whole body of men be regularly inspected, as it should be, by the medical officer attached to the works, or if there be no such officer then by the Civil Surgeon of the nearest station. Of course the guard, whether Civil or Military, must be such as to preclude any hope of a successful rising; but it need not exceed the above strength, nor need so large a provision be made for the preparation of elaborate returns. The Inspector General of Prisons will no doubt be the best authority to judge what particular reductions can

be made; and the Government will look to him to ensure that the financial result shall be at least as successful here as it has proved under greater difficulties elsewhere.

9. Lastly, in the opinion of the Governor General in Council there is no necessity for carrying out the experiment until a suitable occasion be found, as it will be useless to organize gangs and transport them to a place where they cannot be profitably employed.

ORDERED, that a copy of this Resolution be forwarded to the Government of the North-Western Provinces for information and guidance.

Ordered also that a copy of this Resolution, and of the letter from the Government of the North-Western Provinces dated the 15th ultimo, be forwarded to the Governments of Madras, Bombay, Bengal and the Punjab; and the Chief Commissioners of Oudh, the Central Provinces, British Burmah and Coorg; and the Resident at Hyderabad, for information.

Ditto to the Public Works Department for information.

(True Extract.)

12/5 L.C. Bayley

Secy. to the Govt. of India.

No. 1048/9

116

FROM

E. C. BAYLEY, Esq.,

Secretary to the Govt. of India,

TO

THE SECRETARY TO THE GOVERNMENT

OF THE PUNJAB.

Home Dept.

Judicial.

SIMLA, the 5th June 1870.

SIR,

I AM directed to acknowledge the receipt of your letters noted
No. 317, dated 5th March 1870. on the margin, and in reply to communicate the
„ 588, „ 29th April „ following orders in regard to the Rules proposed
by the Inspector General of Jails, Punjab, for the introduction of a system of
extra-mural labor.

2. These Rules were framed prior to the receipt of Home Department
Resolution of the 31st March last, containing the decision of the Government
of India on several cognate questions referred by the Government of the
North-Western Provinces, and the orders conveyed in that Resolution meet
some of the points now discussed by the Punjab Government.

3. While agreeing with the principle urged by the Inspector General of
Jails in reference to the selection of locality for the
Section I, Rule 2, Clause A. establishment of a temporary Jail, the Governor
General in Council thinks that the words “immediate neighbourhood” should
be omitted from this clause, and the words “on the work” substituted for
them; and that the prescribed period of the probable duration of work should
be two instead of “four or five years and upwards.”

4. His Excellency in Council approves the conditions for employment on
extra-mural labor proposed in this section, with
Section II. the exception of the restriction prescribed in
Rule 1, which should be reduced from two years to eighteen months.

5. The proposals for supervision and management, though somewhat more
moderate than those submitted by the Government
Section III. of the North-Western Provinces, are still high, and
should be re-considered with reference to the orders of the 31st March last.

6. In Rule 10 of this section, the words “6 P. M.” seem to have been
inadvertently omitted before the words “8 P. M.,” and it would be sufficient if
prisoners be obliged to attend school on *alternate days*.

7. In reference to the instructions contained in Rule 12 on the subject
of the relations of the Jail and the Public Works Departments, the views
expressed in the accompanying copy of an Office
* To Public Works Department, No. 50, dated 7th January 1870. Memorandum dated the 7th January last* should be
considered. This Office Memorandum disposes of the question raised by
Dr. Gray in paragraph 15 of his letter of the 18th December 1869, and is in
accordance with the views entertained by that Officer.

8. The Rules on rewards and punishments are unobjectionable so far as

Section IV.

* No. , dated
(will follow, it is being printed, and takes
this view of the gratuity scheme.)

they accord with the general principles laid down in paragraphs 17 to 19 of the Resolution* recorded on the subject in this Department, and Dr. Gray may be asked to add to this section a few simple instructions in regard to gratuities on the basis of his proposals in paragraphs 18 and 19, and on the principles laid down in the above Resolution. He is right in the assumption that the orders of the 16th October last were not intended to negative gratuities altogether, but to point out certain apparent defects in the scheme which he had proposed, and, as supposed by him, the grant of gratuities will not be substituted for the system of remissions, but will supplement it.

9. The question of intermediate imprisonment will be considered hereafter, and further instructions issued on the subject on receipt of replies from the other Local Governments and Administrations to the Resolution of the 28th October 1869.

10. As regards the remarks contained in paragraphs 28 and 29 of Dr. Gray's letter of 18th December, I am to state that the Governor General in Council considers it a grave abuse that, under the present system, associated labor within the Jail is often of so easy and light a character that convicts prefer it to extra-mural employment. But this should, as far as possible, be remedied, as the success of the proposed measure depends much on the change being looked forward to as a relief of the severity of the sentence.

11. With the above modifications, the Rules suggested by the Inspector General of Jails are approved, and their adoption, as an experimental arrangement, sanctioned. No delay should now take place in inaugurating the system; and His Excellency in Council requests that, as the plan of extra-mural labor on this scale is new in this country, the working of the measure should be most carefully watched, for experience will, doubtless, show that many of the Rules may with advantage be modified, or even greatly changed.

I have the honor to be,

S I R,

Your most obedient Servant,

E. C. BAYLEY,

Secretary to the Govt. of India.

No. 

COPY of the whole correspondence, including the letter from the Punjab Government, dated the 14th January last, forwarded to the Public Works Department for information.


Secretary to the Govt. of India.

Extract from the Proceedings of the Government of India, Home Department (Judicial), under date Simla, the 30 June 1870.

READ again—

The Resolution of this Department, No. 70—79, dated the 19th January 1869, on labor enforced in Jails, the reward and punishment of prisoners, and the variation in the average charges for the maintenance of prisoners in the several Provinces.

Read also the under-mentioned reports received from the Local Governments and Administrations on the points discussed in the Resolution of the 19th January 1869:—

- From Government of Bengal, No. 2125, dated 25th March 1869.
- From Government of Madras, No. 1593, dated 1st October 1869.
- From Government of Bombay, No. 869, dated 15th March 1869.
- From ditto ditto, No. 2643, dated 9th August 1869.
- From Government of the North-Western Provinces, No. 186A, dated 17th July 1869.
- From Government of the Punjab, No. 816, dated 19th June 1869.
- From Chief Commissioner of the Central Provinces, No. 1055—115, dated 15th April 1869.
- From Chief Commissioner of Oudh, No. 2401, dated 11th June 1869.
- From Chief Commissioner of British Burmah, No. 110—5, dated 25th May 1869.
- From Chief Commissioner of Mysore, No. 6219—33, dated 12th March 1869.

R E S O L U T I O N .

IN the orders of the 19th January, quoted at the head of this Resolution, Local Governments and Administrations were requested to introduce into the Jails within their respective jurisdictions “those particular forms of labor which, while they add most to the severity of the sentence, do, as a matter of fact, contribute most to the cost of each prisoner’s maintenance.”

2. As regards rewards and punishments, it was remarked that much diversity of rule and practice existed in respect of the remission of portions of sentences as a reward for good conduct or industry; and it was considered very desirable that, as far as possible, the practice on this point should be uniform throughout India. It was further suggested that prisoners convicted of certain heinous offences, such as murder, dacoity, highway robbery, and rape, should be excluded from the benefit of the indulgence, and that in no case should the remission exceed one-twelfth of the entire sentence.

3. The extraordinary variation in the charges for the maintenance of prisoners in the several Provinces, as shown in the Annual Jail Reports, was also dwelt upon, and the necessity for a more rigid economy enjoined.

4. The authorities addressed have now replied to the Resolution of the 19th January 1869. Almost all of them maintain that the necessity for imposing hard labor upon prisoners sentenced to rigorous imprisonment is strictly

Bengal. observed in the management of the prisons within their respective jurisdictions. The Inspector

General of Jails, Lower Provinces, submits extracts from his earliest annual reports to show that he has always kept the primary object of judicial sentences steadily in view, and that during his administration of the Bengal Jails, punishment has never been sacrificed to profit. He observes that the instructions issued by him from time to time fulfil all the important conditions enunciated by the Government of India.

119

5. The Lieutenant-Governor submits that it is a mistake to suppose that no labor can be hard unless it be irksome, profitless, and degrading; and His Honor thinks that punishment of the individual offender is not the sole or even the primary object of imprisonment, which, in his opinion, is only of use in so far as it acts as a deterrent. But the Government of India never intended to put such a construction upon the term hard labor. On the contrary, the Resolution distinctly declared that the labor imposed upon a prisoner sentenced to rigorous imprisonment should be such as to satisfy the requirements of law, and at the same time to contribute most to his own maintenance.

6. Remission of sentence is allowed in the Lower Provinces only for acts of signal service. It is also granted to short-term prisoners during the prevalence of epidemic diseases in Jail, and to prisoners who are incapacitated by disease or infirmity from further commission of crime, and who have nearly completed their sentences. The introduction of the mark system has been found impracticable for want of trustworthy subordinates, and the impossibility of securing adequate supervision. But the object in view is attained by the use of labor tickets in which every punishment for short work or idleness is duly entered, and by the punishment register in which every penalty for breaches of Jail discipline is regularly noted.

7. The Inspector General states that, if it be considered desirable to apply the English system to Native prisoners, he knows of no better means of doing so than that suggested by the Government of India, except so far as regards the exclusion of certain classes of criminals from all hope of remission. He remarks that the best conducted prisoners in the Bengal Jails are exactly those whom it is proposed by the Government of India to shut out from reward for good conduct. The Lieutenant-Governor would adhere to the system of rewards and punishments which is at present in force in the Lower Provinces.

There is no objection on the part of the Government of India to the continuance of the present system in this respect.

8. The Inspector General of Jails, Madras, is of opinion that the provision of work which will entail what is ordinarily considered severe labor, while it is at the same time remunerative, is a matter of some difficulty, more especially in Jails where the number of prisoners is large. But he believes that manufactures may be so conducted that employment thereon may be made sufficiently hard and irksome as to become an effectual means of punishment.

9. A system of marks and remissions is in force in the Madras Presidency, under which, by good conduct and industry, a convict can earn remission of a part of his sentence and obtain subordinate offices in Jail. Gratuities are also allowed under the Madras rules, on the understanding that the amount is not to exceed Rs. 10 a man at the time of his release. Although the system is unnecessarily elaborate in its details, and a simpler plan would no doubt be preferable, yet, as the Local Government is satisfied with its working, and advocates its continuance, the Governor General in Council does not wish to introduce any change in this respect, except in making one-twelfth of a prisoner's sentence the maximum remission admissible under the ordinary rules, and doubling the amount in the cases of convict guards and work overseers.

10. The Bombay Jail Manual contains no rules for remission of sentence. Such rules are stated to have been purposely excluded from the manual, as, with a view to guarding against favoritism and abuse of authority among the Jail subordinates, it was determined not to introduce any mark system until Jail discipline had been satisfactorily consolidated. Having regard, however, to the views entertained by the Government of India in favor of a uniform system of remissions throughout the country, the Bombay Government submits for approval a few draft Rules based on the principle in force in some English Jails, stating that for their proper working, the supervision of a resident Superintendent is essentially necessary.

11. It is explained that the exceptionally high charge for contingencies in 1867-68 was owing to the cost for tents which were ordered to be kept ready for sanitary purposes, and to the transfer of prisoners from one Jail to another on account of over-crowding.

12. As regards the draft Rules submitted by the Bombay Government, the Governor General in Council approves of their introduction into those Jails in the Bombay Presidency in which the existing supervising agency is considered adequate for the purpose, subject, however, to the general instructions contained in this Resolution.

13. The Lieutenant-Governor of the North-Western Provinces reports that the system of labor prevailing in those Provinces resembles in some degree that in force in England and Ireland, and is found to work well. A system of marks appears also to be in force in the North-Western Provinces, under which a prisoner can, by hard work and uniform good conduct, render himself eligible for remission of sentence and for appointment as convict-warder. Gratuities are given at the discretion of the Superintendent, who periodically awards small sums to deserving men as rewards for good conduct while inmates of the Jail. The Inspector General submits a system of revised Rules, and expresses himself decidedly in favor of some system of prison discipline which, while combining a given proportion of deterrent measures, should have the ultimate reformation of the prisoner steadily in view. He would divide imprisonment into three stages,—1st, separate confinement; 2nd, confinement in association with opportunity to earn remission; and 3rd, a state of comparative liberty on ticket-of-leave and under surveillance at a prison farm or factory outside the prison.

14. The revised Rules seem unobjectionable and are approved, subject to the general principles laid down in this Resolution, and with the exception of those which relate to the grant of gratuities, which will be considered below. No increase of establishment can, however, be allowed for carrying out the Rules. As regards the proposed system of labor at a prison farm or factory, the Governor General in Council observes that the necessity for such a system is superseded by the recent orders about extramural labor in gangs.

15. The Punjab Government reports that in the Jails of that Province the principles laid down by the Government of India are strictly observed. Unremunerative labor is nowhere in use, and particular forms of work are prescribed which combine punishment with profit. There is besides a standing order that profits are to be regarded as secondary to the maintenance of discipline. The Lieutenant-Governor solicits instructions whether prisoners sentenced to rigorous imprisonment should throughout their term be employed on the severest form of remunerative labor, and that no relaxation of the rigor of imprisonment should be permitted.

16. His Honor should be informed in reply that the terms "hard," "medium," and "light" labor, as defined in the Jail Manual, are understood to refer to the character of the labor *per se*; but what is medium labor to a strong man would be hard labor to a weak man, and to a very weak man even light labor would be hard. Labor should therefore be proportioned to the health and physical capacity of the individual concerned; but in all cases the requirements of law must be satisfied.

17. As regards remission it appears that at present a portion of the sentence, not exceeding three months at a time, may be remitted in the case of prisoners of every class who are recommended for the indulgence by the Officer in charge of the Jail, the Deputy Commissioner, and the Judges of the Chief Court concurrently, on account of exemplary good conduct. Last year, however, a correspondence took place with the Government of India regarding rewards and punishments in Jails, which resulted in the appointment of a

121
119

Committee to enquire into the whole subject. The Committee have now furnished their report, and the principal features of the scheme recommended by them are—

- (1.) That remission should be granted to *all* prisoners whose sentences

Exceeding 2 years, and not exceeding 3 years—3 months.	4	6	exceed two years, except
" 3 " " " " 5 " 9 "	5	9	life prisoners, according
" 4 " " " " 7 " 12 "	7	12	to the scale given in the
" 5 " " " " 8 " 16 "	8	16	margin. This scale is
" 7 " " " " 10 " 20 "	10	20	approved with the <i>pro-</i>
" 8 " " " " ... " 24 "	...	24	<i>viso</i> that at present in

no case should the maximum of one-twelfth of the term of sentence be exceeded as an experimental arrangement, on the understanding that, in a short time after the result is carefully watched, the question shall be reconsidered with a view to determine whether it may not be increased with advantage. The Governor General in Council would, however, double the amount of remission in the cases of convict guards and work overseers. They can only obtain these offices after fulfilling a considerable portion of their sentence of hard labor, and the doubling of the boon of remission would cause these offices to be even more highly prized than they are at present. It is, besides, politic on every ground to treat the holders thereof as a more privileged class than ordinary prisoners.

- (2.) That all prisoners sentenced for five years and more shall be sent to the Lahore Central Jail, which should be relieved of short-term prisoners. This is also approved, but if fresh accommodation is on this account required, separate application must be submitted. His Excellency in Council, however, hopes that any difficulty in this respect will be got over by the efforts that are being made in the Punjab to introduce a system of extramural labor.

- (3.) That no reference should be made to the Judicial Officers regarding remissions, application being at once made for the sanction of Government through the Commissioners. The Governor General in Council approves of this proposal. The nature of a man's crime should never be considered in regard to the remission. It is impossible that prison authorities can form any opinion as to the comparative heinousness or aggravated nature of the crime for which punishment is inflicted. The only thing they have to guide them is the length of sentence and the prisoner's conduct while in Jail. His Excellency in Council at the same time observes that Judicial Officers should be made clearly to understand the conditions under which, and the extent to which, a mitigation of sentence is possible.

- (4.) That any part of a sentence already remitted be resumable on a prisoner misbehaving himself. It seems most probable that, in the present state of the law, a prisoner could not be remanded to Jail without a regular conviction for a substantive offence. But it is very desirable that application should be made to the legislature for the necessary power in this respect. The required provision will be made in the Indian Prisons' Bill.

- (5.) That if a prisoner in the intermediate stage of imprisonment, when out of Jail, and before the expiration of the full period required for his remission, is considered by the Magistrate not to be earning an honest livelihood, he shall be recommitted for the unexpired portion of the sentence. This also cannot be sanctioned as the law now stands.

- (6.) That the hours of labor be fixed at six to nine hours per diem according to season, and that the value of the work done in excess of the task be credited to the prisoner. In the opinion of the Governor General in Council, eight to ten hours, according to the season, should be the maximum, including the hours given to education.
- (7.) With reference to the grant of marks, the Committee recommend that they should be given for general good conduct, for attention shown while under instruction, and for industry, but not for skill which may have been previously acquired. On this point, the conditions of the English system should be adapted to these cases. The Governor General in Council does not think that marks for general good conduct should be taken into calculation for the remission of punishment. Industry and hard work are the only sound tests, and every prisoner should feel that, under the system in which he is placed, he can work himself out of Jail, and cannot by simulating decorum and good conduct deceive the Jailor. Of course marks for bad conduct should be set against those for industry, and good conduct must be considered a *sine qua non*, it being assumed that no prisoner can get a remission of his sentence unless his general conduct is satisfactory. "Attention shown while under instruction" is a very vague term, and should not be adopted as a cause for which marks should be given.
18. The Chief Commissioner of the Central Provinces reports that he has particularly impressed upon Jail Officers that punishment should not be sacrificed to a desire to make prisoners self-supporting. He has found on enquiry that the attempt to make convict labor profitable is confined to those prisoners who by good conduct have worked up their way to a class in which labor of a comparatively light nature is permissible. The existing system of marks and remissions is stated by the Chief Commissioner to have worked satisfactorily.
19. In order to secure trustworthy overseers to assist in carrying out the instructions of the Government of India, the Chief Commissioner of Oudh has consented to allow the pay of the Jail burkundauzes to be raised from Rs. 5 to Rs. 6 per mensem. There is no objection to this measure if a reduction can be effected in numbers and ultimate increase of expense avoided.
20. The mark system prevailing in British Burmah admits of a maximum remission of one-sixth of a prisoner's sentence. Prisoners convicted of the offences mentioned by the Government of India are excluded from the benefit of the rules, except as regards thuggee, which is unknown in the Province.
21. In Coorg remissions are allowed in cases of exceptional good conduct, or extreme sickness. Measures are in progress for effecting a reduction in Jail expenditure; and the Judicial Commissioner observes that the cost of prisoners in Mysore is less than in the Madras and Bombay Presidencies, which, being the nearest, afford, in his opinion, the fairest comparison.
22. While some Local Governments and Administrations have altogether omitted to notice the question regarding the cost of the prisoner's maintenance, the Lieutenant-Governor of the Punjab dismisses it with the cursory remark that the Inspector General has been urged to keep down Jail expenditure to a moderate and, as far as possible, a uniform scale. The Governor General in Council does not consider this sufficient. Definite and specific instructions

must be given for effecting reductions in Jail charges, and stringent orders issued for carrying them out.

23. As regards gratuities, the Governor General in Council does not think it desirable to prohibit them altogether for two reasons,—in first place, unless a prisoner on release has the means of maintaining himself for two or three months, he may be reduced either to steal or starve, should he have no relatives or friends able and willing to assist him for a time; in the second place, every released prisoner of more than six months' sentence is now given a small sum of money to take him to his home, and is provided, should he have none of his own, with sufficient clothing for immediate use. His Excellency in Council would therefore allow each prisoner a certain percentage of the value of work performed in what is popularly known as overtime, and thus enable him to earn a small sum for his own benefit on release. The amount of these earnings should be restricted to such a sum as will enable him to start again in life and to maintain himself until he is able to resume his ordinary means of livelihood.

24. Having considered in detail all the reports above referred to, it only remains for the Governor General in Council to issue some general instructions on such points of Jail management as are of universal application throughout India, and on which uniformity of practice is desirable. As already ruled in the case of certain Provinces, His Excellency in Council requests that, wherever a remission of sentence can be earned in Jail, such remission shall not for the present exceed one-twelfth of the whole sentence in the case of ordinary prisoners, and double that amount in respect of convict guards and work overseers; and being granted solely for industry, coupled with general good behaviour during imprisonment, it shall not be dependent on the opinion of Judicial Officers, to whom no reference need be made in future. In deference, moreover, to the views expressed by a majority of the authorities against the proposed exclusion of certain classes of criminals from all participation in the benefits of the indulgence, His Excellency in Council is pleased to resolve that remissions for good conduct shall with the above restriction be open to all prisoners without reference to the nature of the crime of which they are convicted. As regards gratuities, the Governor General in Council is of opinion that they should also be granted for such extramural labor as may be established under the recent Resolution of 28th October last, and that in framing the rules which have been called for in paragraph 16 of that Resolution the attention of Local Governments be called to the scale laid down in the annexed Abstract of Prison Rules now in force in England.

25. The next point calling for special orders of a general nature is the question of reducing Jail charges. Local Governments and Administrations do not appear to have paid sufficient attention to this matter, and the Governor General in Council requests that stringent and specific orders for reduction may be issued. The point was strongly urged by the Financial Department in its Resolution No. 2281, dated the 11th August last. It was also discussed in the Financial Department Resolution No. 4418, dated the 30th October. In paragraphs 24 and 25 of the last-mentioned Resolution, the charges incurred on account of rations and clothing as well as guards were suggested as the direction in which reduction was possible. But the Governor General in Council would now content himself by simply directing that reductions must be made in the cost of the maintenance of prisoners, and leave it to Local Governments and Administrations to decide on what items they had better fall.

26. Having regard to the rapid and enormous increase of Jail charges, especially in Bengal, Madras, and the Punjab, since the year 1863, His Excellency in Council would warn Local Governments and Administrations to prepare themselves for considerable reductions in next year's Budget. They are also

requested to submit specific reports on all Jail expenditure. The net cost of each prisoner should be taken into account as well as his gross cost.

129

ORDER.—Ordered, that a copy of this Resolution, and of the papers referred to, be forwarded to the Legislative Department.

Ordered also, that a copy of this Resolution* be forwarded to the Governments of Bengal, Madras, Bombay, the North-Western Provinces and the Punjab, and with a copy of the Resolution of the 28th October last, to the Chief Commissioners of Oudh, the Central Provinces, British Burmah, and Coorg, and to the Resident at Hyderabad, for information and guidance.

* To British Burmah with a copy of the North-Western Provinces Rules for the grant of good conduct marks.

(True Extract.)

Secy. to the Govt. of India.

Abstract of Prison Rules in force in England.

125

20. All stages and classes, as now existing, to be prospectively abolished for all convicts hereafter received into Public Works Prisons.

21. A convict during the term of his imprisonment will be required to pass through the following classes, viz. —

- | | |
|---|--|
| 1 st Class, one year, during which they must earn on Public Works 720 marks. | } Minimum period with good conduct and industry. |
| 3 rd Class, one year, during which they must earn on Public Works 2,920 marks. | |
| 2 nd Class, one year, during which they must earn 2,920 marks. | |

After which they will be eligible for promotion to the 1st Class.

22. Every convict is thus required to remain in the Probation Class for a minimum period of one year, reckoned from the date of conviction, of which nine months will be passed in separate confinement.

23. If his conduct and industry are good, he will then be promoted to the 3rd Class, and so on to the 2nd, remaining in each a minimum period of one year.

24. Prisoners detained in separate confinement for misconduct cannot be promoted to the 3rd Class until three months after they have become eligible for removal to Public Works.

25. The remainder of the term of his imprisonment will be spent in the 1st Class, unless he is promoted to the special class or degraded to any lower class.

26. These classes will be kept quite separate from each other in the prisons.

27. Convicts in the Probation Class will be subjected, while undergoing separate confinement, to the special rules and regulations approved of for the separate prisons. On removal to Public Works they will continue in the Probation Class until they have completed twelve months, reckoning from the date of conviction, with good conduct.

Prisoners

Prisoners in the Probation Class will wear the ordinary grey Convicts' dress with black facings.

28. Prisoners in this class on the Public Works will be allowed no gratuity, nor to receive visits, nor to receive or write letters, except one letter on reception from separate confinement; they will be allowed one period of exercise on Sunday.

29. If their conduct and industry are either bad or indifferent, either in separate confinement or after their removal to Public Works, they will be detained in the Probation Class until they have earned an additional number of marks to that allotted to the period to be passed in probation.

30. Prisoners in the 3^d. class will wear the ordinary grey Convicts' dress with black facings. They will be allowed—

1st, to receive a gratuity of 12 shillings, being at the rate of 1s. per month for 12 months, to be earned by marks during the time spent in this class, and if their conduct shows that they deserve it.

2^d, to receive a visit of 20 minutes' duration once in six months, at such time as the Governor approves, care being taken that the stipulated number is not exceeded, and both to receive and write a letter once in six months, provided their conduct in that class has been good for at least two previous consecutive months.

3^d, they will be allowed one period of exercise during Sunday.

31. Prisoners in the 2^d. class will wear the ordinary grey Convicts' dress with yellow facings.

They will be allowed—

1st, to receive a visit of 20 minutes' duration, and both to receive and write a letter once in four months.

2^d, to receive a gratuity of 18^s, calculated at

at 1s. 6d. per month, for 12 months, to be earned by marks during the time spent in this class and if their conduct shows that they deserve it;

3rd, to be allowed choice of tea and 20s. of additional bread instead of gruel;

4th, to have two periods of exercise during Sundays.

32. Prisoners in the 1st class will wear the ordinary grey convict's dress with blue facings.

They will be allowed -

1st, to receive a visit of half an hour, and both to receive and write a letter once in three months;

2nd, prisoners in this class will be allowed a gratuity of 30s., being at the rate of 2s. 6d. per month, for 12 months, to be earned by marks until they have earned £3 altogether;

3rd, to be eligible, if their conduct and industry are good, and if special circumstances should render it desirable, to be recommended on discharge for a further gratuity not exceeding £3;

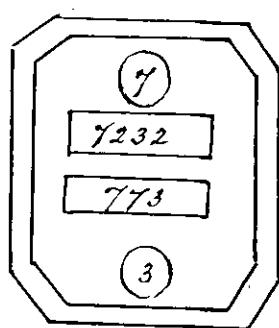
4th, to be allowed the choice of tea and 20s. of additional bread instead of gruel, and baked instead of boiled meat;

5th, to be allowed three periods of exercise on Sundays.

33. No convict is to be promoted to the 1st class until he can read and write, except in special cases which must be reported to the Director.

34. Prisoners in the Special class will wear a blue dress. They will be eligible to be recommended for an extension of remission not exceeding one week.

35. All prisoners will wear a badge on the sleeve, which will denote, in the upper circle, the number of months that have elapsed since the convict has had a report. In the centre the number of marks he has to earn, which number will include forfeitures for misconduct, and beneath the register number and sentence, they will be of the same



colours as the faenings, except those of the 3^d class, which will be white, and those of the Probation class, black.

36. For practical purposes in calculating the gratuities, the following scale may be adopted:—

In the 3^d class 20 marks are equal to 1d.

In the 2^d " " " " " 1½d.

In the 1st " " " " " 2½d.

37. Convicts sentenced to cross irons, or to wear the particoloured dress, while under such punishment, to be placed in the Probation Class; after which they will return to their original class, unless the sentence specifies to the contrary.

38. Convicts returned to Public Works from second probation in separate confinement will go through the classes in the same way as convicts first received from separate confinement.

(True Copies)

Chambliss

Registrar Foreign Dept